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SERIES

Home Affairs

PART:

2

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2 Nov 98

PART ENDS:

29 JUNE 1999

CAB ONE:

LABOUR ADMINISTRATION

Part closed

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PART

CLOSED

DATE CLOSED	29 JUNE 1999
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Series : HOME AFFAIRS

File Title : WOMEN'S RIGHTS

Part : 2

Date	From	To	Subject	Class	Secret
02/11/1998	SOC	colleagues	guidelines on policy appraisal for equal treatment	C	0
03/11/1998	SS/DfEE	DPM	equal opportunities commission's recommendations for changes	C	0
04/11/1998	DPM	Cab Off	Women and government policy	U	0
04/11/1998	ms/cabinet	Cab Off	Letter re plans for the womens unit	U	0
05/11/1998	Cab Off		Letter to all members of HS(W) re delivering for women	U	0
05/11/1998	SS/DfEE	Cab Off	Women and government policy	U	0
06/11/1998	SS/DoH	Cab Off	Letter to Baroness Jay re women and government policy	C	0
27/11/1998	LPS	SS/WO	The Government's agenda for women	C	0
27/11/1998	LPS	MS/SO	The Government's agenda for women	C	0
30/11/1998	SS/DoH	Leader/Lords	Women and Government Policy	U	0
17/12/1998	SS/WO	LPS	The government's agenda for women	C	0
17/12/1998	LPS	PM	Europe - Agenda for Women	R	0
04/01/1999	EA/APS	LPSO	Europe - Agenda for Women	R	0
29/01/1999	EST	LPS	Gender Statistics	U	0
04/02/1999	LPS		Womens Unit - Elimination of all forms of discrimination against wom	U	0
08/02/1999	DfEE		EOC recommendations on gender equality legislation: preparing the	R	0
27/02/1999	LPS	FCS	Europe - women's issues	C	0
03/03/1999		EST	Letter from Minister for Women (Baroness Jay) re: Gender Aggregat	U	0
31/03/1999	Cab Off	LPS	Forthcoming meetings of HS(W)	R	0
31/03/1999	MS/DoH	FCS	EU Daphne Programme: Proposed UK Negotiating Position	R	0
09/04/1999	PUS/HO	MS/DoH	EU DAPHNE Programme:Proposed UK Negotiating Position	U	0
20/05/1999	ms/cabinet office	PM	Listening to Women	U	0
28/05/1999	Cab Off	PM	From Minister for Women: The New EU Commission: Women's Issu	C	0
10/06/1999	Cab Off	DPM	Living Without Fear: An integrated approach to tackling violence aga	U	0
18/06/1999	SS/DoH	Cab Off	Living Without Fear: An integrated approach to tackling violence aga	U	0
21/06/1999	LCO	DPM	Living Without Fear: An integrated approach to tackling violence aga	U	0
21/06/1999	SS/NIO	Cab Off	Living without fear: An integrated approach to tackling violence again	U	0
22/06/1999	HS	DPM	Living without fear: An integrated approach to tackling violence again	C	0
29/06/1999	Cab Off	Ch.Staff	Briefing on women and equality A fair deal for women	C	0



CABINET
OFFICE

Minister for Women

70 Whitehall ■ London SW1A 2AS
TELEPHONE: 0171 270 0501 ■ FAX: 0171 270 0491



Mr Jonathan Powell
Prime Minister's Office
10 Downing Street
London
SW1A 2AA

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C - DN
PU

29 June 1999

Dear Mr Powell,

Briefing on Women and Equality: A Fair Deal for Women?

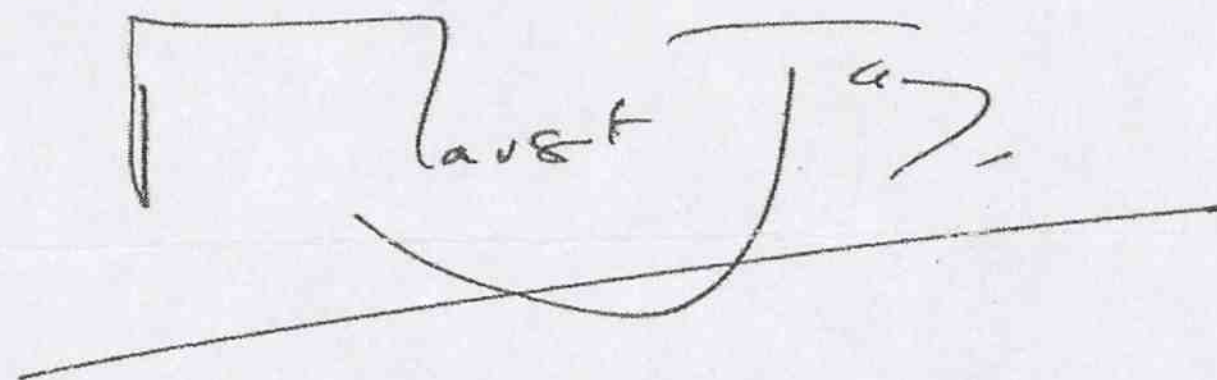
As Minister for Women, I believe it is very important that the women's agenda is high on our list of priorities. I am therefore pleased to invite you to a briefing being run by the Government's independent advisory group on women, the Women's National Commission. The aim of this session is to raise awareness within Parliament of the concerns of women. I think it will be of particular interest to you in your work as a Special Adviser. Parliamentarians and their researchers are also being invited.

The session will be held on **Thursday 22 July** from 10:00 until noon in Room E, 7 Millbank, London SW1P 3JA. Following introductions by the Chair of the Women's National Commission, Valerie Evans, the session will be chaired by Baroness Amos. Jane Esuantsiwa Goldsmith of the Anona Development Consultancy will give a presentation on equality and gender, followed by a talk on the key current issues for women by Mary Ann Stephenson, Director of the Fawcett Society, one of our oldest women's organisations. There will be an opportunity for questions and discussion afterwards.

The Women's National Commission is the Government's official advisory body on women. It acts as an independent umbrella group for women's organisations in the UK. The meeting does not aim to set out the Government's agenda but rather to focus on how women's organisations would like to see the women's perspective included in the work of all Parliamentarians.

Unfortunately, I am unable to attend myself but I hope you will be able to come. If you cannot attend in person, but would like to receive a briefing pack, please contact Jo Lawrence in the WNC. She can be contacted on 0171 238 0385 or by e-mail to: jolawren@cabinet-office.x.gsi.gov.uk.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Baroness Jay", written over a horizontal line.

**THE RT HON THE BARONESS JAY OF PADDINGTON
MINISTER FOR WOMEN**



QUEEN ANNE'S GATE LONDON SW1H 9AT

22 JUN 1999

The Rt Hon John Prescott MP
Deputy Prime Minister
Eland House
Bressenden Place
London SW1

Top on
W.P.U.

Dear John,

**LIVING WITHOUT FEAR : AN INTEGRATED APPROACH TO TACKLING
VIOLENCE AGAINST WOMEN**

Margaret Jay wrote to you on 10 June seeking the approval of HS and HS(W) colleagues to the publication of the Women's Unit document "Living without Fear: an integrated approach to tackling violence against women". I am content that the document should now be published.

As she indicates in her letter, my officials have worked closely with hers on this, and following the document's issue, responsibility for taking work forward will rest with my Department. There remain one or two minor drafting points, on which my officials will continue to be in touch.

Yours ever,

JACK STRAW

(Copies go to the Prime Minister, members of HS Committee, members of
HS(W) Committee and to Sir Richard Wilson)

From: THE PRIVATE SECRETARY



HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

22 JUN 1999

William Connon Esq
PPS/Baroness Jay
Privy Council Office
Whitehall
LONDON
SW1A 2AT

Dear William,

**LIVING WITHOUT FEAR: AN INTEGRATED APPROACH TO TACKLING
VIOLENCE AGAINST WOMEN**

The Home Secretary has written to HS colleagues today to indicate that he is content with the above subject to some drafting points. Our officials have discussed the draft foreword and agreed some amendments. However the Home Secretary has the following additional comments:

First paragraph

First sentence: insert 'serious' after 'crime', delete 'It is a crime' from the second sentence and combine the first two sentences into one.

Third sentence (as originally drafted): insert 'the' before 'fear'

Second paragraph

First sentence: replace 'negative impacts and' with 'dreadful'.

Insert 'Reported' at the beginning of the second sentence.

Fourth sentence: replace 'for their own safety' with 'personal attack'.

Third paragraph

First sentence: insert 'of our' after 'commitment'.

Third sentence: replace 'We have committed' with 'with' and run the last two sentences together.

Fourth paragraph

Second sentence: delete 'For the first time'; replace first 'we are' with 'and'; replace 'that' with 'which'; insert a comma after 'already'; replace 'and we are' with 'as well as'.

Third sentence: replace 'enable for the first time' with 'secure'.

Fifth paragraph

First sentence: replace 'the' with 'a'.

Second sentence: replace 'is a new beginning which gives us all' with 'should give us'.

Subject to these changes the Home Secretary is content to sign the joint foreword with Baroness Jay. I am sorry for the delay in getting these comments to you.

Yours,

Steph

STEPHEN HARRISON



Northern Ireland Office
Block B, Castle Buildings
Belfast BT4 3SG

The Rt Hon Baroness Jay of Paddington
Minister for Women
Cabinet Office
70 Whitehall
LONDON SW1A 2AS

DN
~~CC: JWH~~
PU

(F)

21 June 1999

Dear Margaret,

LIVING WITHOUT FEAR: AN INTEGRATED APPROACH TO TACKLING VIOLENCE AGAINST WOMEN

Thank you for your letter of 10 June 1999 requesting approval from HS and HS(W) colleagues to publish the above document.

I fully support the publication of the document. I believe that the proposals for action and the examples of existing good practice will be extremely helpful to all those engaged in this work and will help to demonstrate government's determination to deal with the problem in a vigorous and co-ordinated way.

As you know, in Northern Ireland we are currently involved in a consultation exercise to inform the development of an appropriate strategy to tackle violence against women here. In producing our plan for Northern Ireland we will certainly draw on 'Living Without Fear' and on the Scottish Office's work to ensure, where possible, that provision is broadly equivalent to that in the rest of the UK.

I greatly appreciate the good work that the Women's Unit and other colleagues have done to produce this very important document.

I am copying this letter to the Prime Minister, members of HS Committee, members of HS(W) Committee and Sir Richard Wilson.

MARJORIE MOWLAM

(f)



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KEITH VAZ M.P.
Parliamentary Secretary
LORD CHANCELLOR'S DEPARTMENT

Top:DW
cc: JSM
PJ

The Right Honourable John Prescott MP
Deputy Prime Minister and
Secretary of State for the Environment
Transport and the Regions
Eland House
Bressenden Place
London SW1E 5DU

21 June 1999

LIVING WITHOUT FEAR: AN INTEGRATED APPROACH TO TACKLING VIOLENCE
AGAINST WOMEN

Margaret Jay wrote to you on 10 June seeking approval to publish the above document on violence against women.

I confirm that I fully support the publication of this report. Officials here have been involved in the inter-departmental group which has assisted the Women's Unit in preparing the report, and have liaised with them to ensure that the contents accurately reflect the work that we are taking forward. I welcome Margaret's agreement with Paul Boateng that the Home Office should assume the lead responsibility for co-ordinating action across Government arising from the report, and will ensure that my officials continue to be involved in supporting them in that process.

There is one point of concern that I would like to raise on the contents of the report. This relates to paragraph 3.2, which deals with attrition rates for crimes of violence against women. The report compares the number of cases reported and recorded with the number of cases resulting in a conviction. This could prove to be misleading, and I would prefer to see the number of prosecutions included, which could then be compared to the number of convictions.

I am copying this letter to the Prime Minister, members of HS Committee, members of HS(W) Committee and Sir Richard Wilson.

Yours ever

Keith Vaz

KEITH VAZ



Top - DJ
cc JSM
PJ

Richmond House 79 Whitehall London SW1A 2NS Telephone 0171 210 3000
From the Secretary of State for Health

F

The Rt Hon Baroness Jay of Paddington
Minister for Women
Cabinet Office
70 Whitehall
London
SW1A 2AS

18 June 1999

LIVING WITHOUT FEAR: an integrated approach to tackling violence against women

Thank you for copying me your letter of 10 June to John Prescott seeking colleagues approval to publish the above report.

I welcome this important publication. It is a sensible and well thought out document which properly reflects the range of existing good practice and joint agency commitment to tackling violence against women and should add significantly to the value of work already being done in this area.

Dealing with violence against women remains high on this Department's agenda. There are significant costs associated with this for both the NHS and social care side whilst the effects of violence on the mental and physical health of the women concerned can be devastating. We share your concerns, however, that access to help in the public and voluntary sectors for women experiencing violence is still not sufficiently comprehensive or easy. The ground covered in this report should provide the necessary platform for cross Government and local action to remedy this.

My officials stand by to continue to work with, and support, the Home Office in taking this programme forward.

I am copying this letter to the Prime Minister, members of HS and HS(W), other Cabinet members and Sir Richard Wilson.

FRANK DOBSON



Minister for Women

CABINET
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70 Whitehall • London SW1A 2AS

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TOP DN
cc: PU

RESTRICTED - POLICY

10 June 1999

The Right Honourable John Prescott MP
Deputy Prime Minister and
Secretary of State for the Environment
Transport and the Regions
Eland House
Bressenden Place
London SW1E 5DU

Dr John,

LIVING WITHOUT FEAR: an integrated approach to tackling violence against women

I am writing to ask for HS and HS(W) colleagues' approval to publish the above document which sets out the Government's commitment and approach to working for the protection and safety of all women. The document is aimed at supporting those who deal daily with the effects of violence against women. It highlights good practice, promotes the case for inter-agency working and sets out a programme of practical government measures to support this. I would be grateful if colleagues could respond by 18 June.

Violence against women is a crime and one which is, I believe, unacceptable in modern Britain. It is a crime which, through both its direct effects and through fear, has a disproportionate impact on the way women live their lives: 2 women die every week at the hands of their current or former partners; 70% of young women aged 16-29 are worried about rape and half of older women will not go out at night because they fear violent crime.

A lot of good work has already been done both by government departments, locally-based public services and the voluntary sector. Service providers and practitioners, in both the public and voluntary sectors, have been working for many years to support and help women who experience violence. They have built up a wealth of good practice. However, help for women experiencing violence is still not comprehensive enough or easily accessible: central and local government-led solutions have generally been piecemeal and crisis-led and the standard of voluntary support across the country is patchy.

The concern that ordinary women have about these issues has been confirmed for me recently during the course of the Listening to Women roadshows where the need for government to be acting visibly and coherently in this area has been stated time and time again.

Our response is this document. It contains proposals for action and examples of existing good practice based around the three tenets of providing protection, provision of services and justice for women, and preventing violence against women wherever possible.

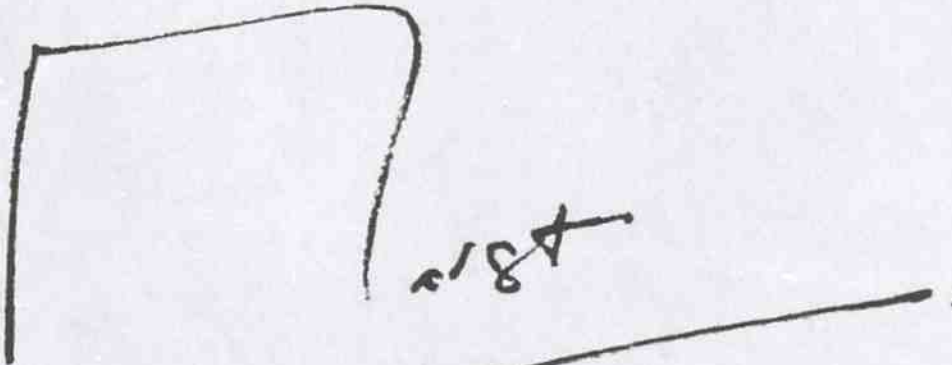
Our overall goals are to help reduce the impact of violence on family life. Within 5 years we plan to achieve effective multi-agency partnerships operating throughout England and Wales.

The preparation of this document has been taken forward by the Women's Unit with the input and support of an inter-departmental group of officials from all interested departments. We have also consulted a wide spectrum of non-governmental organisations, academics and public service providers who are experts in the field of violence against women and who are at the sharp end of this work. Their views and comments have been incorporated into the document. The scope of the document covers England and Wales. Scotland and Northern Ireland have their own separate strategies.

Paul Boateng and I have agreed that responsibility for progressing this work should now lie with the Home Office. My officials have been working closely with the Home Office Criminal Policy Strategy Unit to prepare and agree the final document so that it is fully mainstreamed into the Home Office's Crime Reduction Programme. In order to ensure continuity and a smooth transition process the Home Office will continue inter-departmental liaison and consult with experts and representatives from the voluntary sector.

I am copying this letter to the Prime Minister, members of HS Committee, members of HS(W) Committee and Sir Richard Wilson.

*Y
W. J. Jay*



18/8

THE RT HON THE BARONESS JAY OF PADDINGTON

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[for inside cover]

Good Practice Examples

We are very grateful for all the examples of good practice sent in to us and have aimed to include as broad a range as possible. There are many other excellent projects happening around the country that we have been unable to include due to space limitations.

Territories

Our approach applies to England and Wales. Scotland and Northern Ireland are developing their own approaches to addressing violence against women appropriate to their needs and legislation:

- in November 1998 the Scottish Office released *Preventing Violence Against Women: A Scottish Office Action Plan*; and
- in April 1999, Northern Ireland launched *Tackling Violence Against Women: A Consultation Paper*.

Thanks

The production of this report was overseen by the Inter-Departmental Steering Group on Violence Against Women. The following Departments and agencies were represented on this Group:

- Crown Prosecution Service;
- Department for Education and Employment;
- Department of Health;
- Department of the Environment, Transport and the Regions;
- Department of Social Security;
- Health and Safety Executive;
- Home Office.
- Lord Chancellor's Department;
- National Assembly for Wales; and
- Women's Unit, Cabinet Office.

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CONTENTS

FOREWORD

EXECUTIVE SUMMARY

1 SETTING THE SCENE

2 PROVISION & PROTECTION

3 JUSTICE

4 PREVENTION

5 GUIDANCE & TRAINING FOR PROFESSIONALS AND SERVICE PROVIDERS

6 CONCLUSION

Annex 1
SUMMARY OF GOVERNMENT ACTIVITY

Annex 2
INTERNATIONAL & EUROPEAN ACTION

Annex 3
DEFINITIONS

Annex 4
GLOSSARY OF TERMS

Annex 5
REFERENCES

Annex 6
GOOD PRACTICE INDEX

Annex 7
ACKNOWLEDGEMENTS

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FOREWORD

Violence against women is a crime. It is a crime which this Government is committed to tackling with vigour. Women have a right to live their lives without fear of violence and mothers have the right to raise their children in safety. Without this, we will never achieve a fair and equal society in modern Britain.

The sheer scale of violence and abuse has many negative impacts and consequences for individuals, families and the whole community. Incidents of rape have trebled. Incidents of domestic violence have soared. Women fear for their own safety more than any other crime. It is vital that we and our partners in public services and voluntary organisations get to grips with these problems. Problems that we ordinarily would think of as ones belonging to the police and the local authorities and which have been swept under the carpet for far too long.

We have promised to be tough on crime and tough on the causes of crime. (N.)
The publication of this document marks a step change in our approach and commitment to tackling violence against women. We have made this work an integral part of our Crime Reduction Programme. We have committed funding to it. It marks a step change in our approach and commitment to tackling violence against women.

Living without Fear is aimed at service providers, both in local government and the voluntary sector, as well as women themselves. It sets out the many and innovative examples of good practice operating throughout England and Wales. It also sets out how the Government itself is adding value and supporting this work. We hope that it will be used in a practical way to give ideas, information and contacts to those at the sharp end to enable this country to give, for the first time, consistent and effective assistance to women victims of violence.

This is only the first step and will not in itself solve the problem of violence against women. But it is a new beginning which gives us all the opportunity to work together in partnership to build a better society for our children to grow up in.

EXECUTIVE SUMMARY

Violence against women is a serious crime with serious consequences. One in four women experience domestic violence at some stage in their lives. Thousands of children live in fear in their own home, witnessing or experiencing violence. The number of rapes reported has nearly doubled in the last ten years, often committed by people the victim knows. And seven out of ten women under 30 worry about being raped.

All across the UK, there are many people working at the sharp end dealing with the consequences of violence against women. Volunteers, probation officers, police, social workers and others have been working hard for many years to help and support women who experience violence. But help is still not comprehensive enough or easily accessible. In some cases, women are sent to up to ten different places before they get the help they need. And often how you are treated is entirely a matter of where you live. In some places, the service is extremely good and efficient; in others it simply does not exist.

It is time to change that. We have moved on from the days when no one wanted to intervene in a domestic situation. Just as, as a society, we have woken up to the horrors of child abuse, it is time to act to change attitudes and make sure women are not subject to violence in their own home or anywhere else. Here we outline a new, coordinated approach from the Government and a change from what has happened in the past. For the first time, we are publishing comprehensive information about violence against women. We are pulling together examples of the good work that is going on already and setting a strategic framework for the future. Strategy backed with practical measures.

Women experiencing violence are entitled to decent and swift protection and a legal system which supports them properly. The long-term goal is to prevent violence against women. Our approach is about:

Preventing violence – like other crimes, violence against women is unacceptable. Prevention is our long-term goal.

Bringing perpetrators to justice – the legal system must deter crimes of violence against women and provide support and protection for women pursuing cases through the courts.

Providing timely support and protection – coordinated and effective help at the right time can save lives. Receiving timely help reduces the long-term consequences and helps improve women's chances of a decent life.

It includes:

- £6m projects to reduce crime against women;
- proposals for a new 24-hour helpline for women;

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- £6.3m more for Victim Support to assist victims through the legal process.

There are examples of better guidance to police to encourage them to arrest perpetrators of domestic violence. There is more focus on making our streets and public transport safer for women. And there is practical guidance for those working in the field based on what has been found to work best for women.

We are building on what we know works. There are no magic solutions. But by promoting good practice and extending effective support for women we will help prevent the terrible crime of violence against women. Before that happens, we would expect to see an increase in recorded crime as these issues come out into the open. As with some other forms of crime this will be a step on the way to successful crime reduction.

The ultimate goal must be to help our children grow up in a society where violence is not part of family life and to stop the violence which blights the lives of so many women and children.

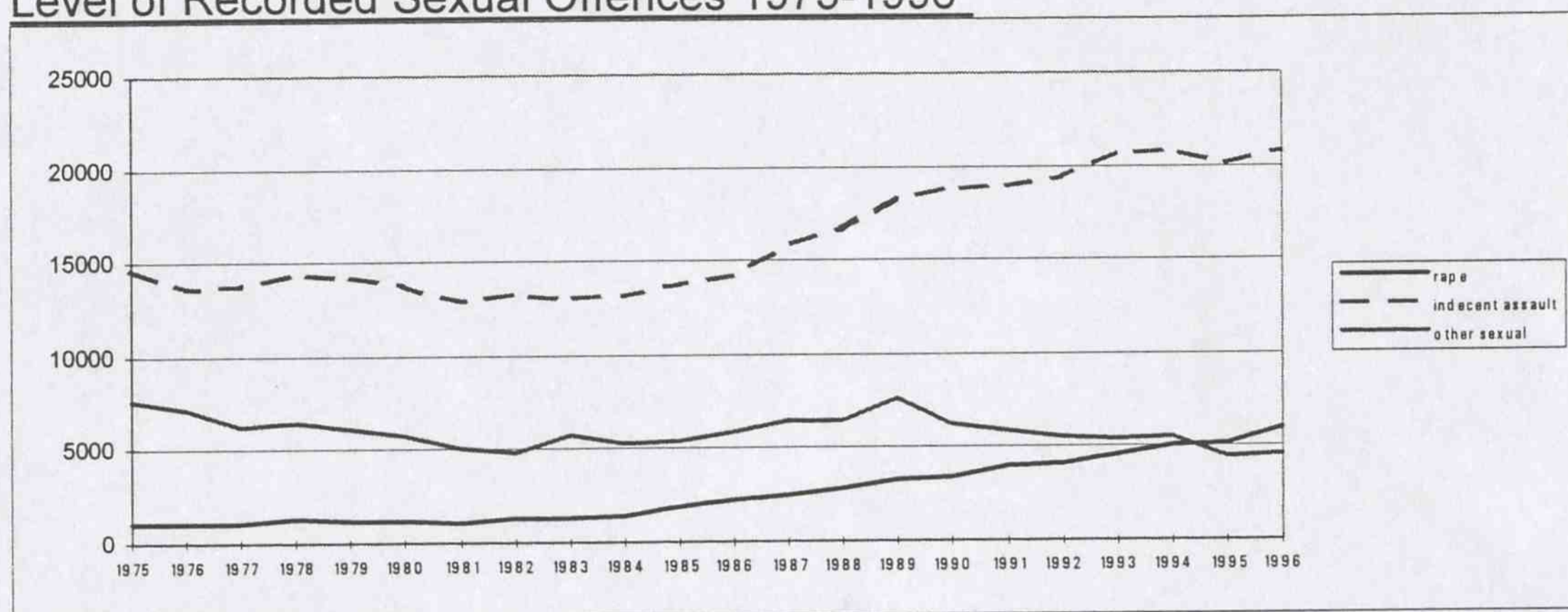
1. SETTING THE SCENE

Introduction

1.1 Violence against women is a crime.

1.2 It is a crime which results in the murder of two women every week by their current or former partners. It is a crime which has seen reported rape incidents increase by 165% in the last ten years - a steeper rise than any other form of crime. It is a crime which, through fear, has a disproportionate impact on the way women live their lives: 70% of young women aged 16-29 are worried about rape and half of older women will not go out at night because they fear violent crime.

Level of Recorded Sexual Offences 1975-1996¹



1.3 And it is a crime which blights the lives of thousands of children who witness or experience violence. This has a devastating impact on families.

1.4 Reducing crime is one of our highest priorities in Government. Crime diminishes all our lives. Our aim is to make Britain a place where we can live our lives without fear. This document is a central part of our strategy to achieve this and it is the first by the UK Government to address violence against women. Violence is always a crime, regardless of where, when or how it is committed. It can never be excused by circumstances or cultural background.

1.5 What makes violence against women so hard to address is that women so often know their attackers and there are frequently no adult witnesses to these crimes. Many of them are committed in what should be the safety of a woman's home, even in front of children, by a partner to whom she should be able to look for support. These are dreadful violations of women and family life. To make matters worse, women often experience pressure and intimidation not to report the attack to the police or to help prosecute the offender. Not least for these reasons, for too long we have been reluctant to face up to the seriousness of these crimes.

¹ Criminal Statistics, England and Wales (1997). Cited in the ESRC Violence Research Programme, *Taking Stock: What do we know about Violence?* (1998)

1.6 *This document brings that to an end.* It shows our:

- *commitment* - that we are no longer prepared to let this issue be swept under the carpet;
- *focus on action* - it sets out what needs to be done to prevent these crimes, provide protection and support for women where and when they need it, and to help secure justice;
- *determination to build on what we know works* - by promulgating good practice, our goal is to give an impetus to more effective action so that within 5 years effective multi-agency partnerships will be operating across the country.

1.7 Domestic violence affects both women and men. 15% of men aged 16 - 59 say they have been physically assaulted by a current or former partner at some point in their lives. But men are less often injured than women, are considerably less frightened and are less likely to seek medical help. Women are disproportionately affected by certain forms of violent crime and the fear of crime.

The problem

1.8 We know that:

- one woman in four experiences domestic violence at some stage in her life and it is estimated that between one in eight and one in ten has experienced domestic violence in the past year²;
- every week two women are killed by their current or former partners³;
- every day thousands of children witness cruelty and violence behind closed doors. More than a third of children of domestic violence survivors are aware of what is going on and this rises to a half if the woman has suffered repeat violence⁴;
- 70% of women aged 16 -29 are worried about rape⁵;
- domestic violence accounts for one quarter of all violent crime⁶;
- women aged 16-29 are at greatest risk of experiencing domestic violence⁷;
- domestic violence often starts and/or escalates during pregnancy⁸;

² British Crime Survey (1998).

³ Homicide Statistics (1998).

⁴ British Crime Survey (1996).

⁵ *Ibid.*

⁶ British Crime Survey (1998).

⁷ British Medical Association Review (1998).

⁸ *Ibid.*

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- one in five workers are subject to violent attack at work. Nurses, who are predominantly women, are most at risk with 1 in 3 attacked in the last year. Care workers are also a high risk group with 1 in 5 attacked⁹;
- half of women feel unsafe when walking alone at night in their area¹⁰;
- a woman may go to up to ten different agencies before she gets the help she needs¹¹;
- reported rape has increased by 165% in the last 10 years; the conviction rate has dropped from 24% to 9%¹².

Causes and impacts

1.9 These are unacceptable facts. We cannot live with them. Our aim is to see strong and secure families and communities: where women feel safe in their homes; are not afraid to go out alone at night; and can bring up their children without fear.

1.10 But we cannot achieve this without recognising some of the underlying causes behind these crimes. Often these lie deep within our society and so will require action over the long-term to help build mutual respect. But women who need help need it now, without delay, where and when their need arises. And when an offence has been committed the criminal justice system must demonstrate its fairness, effectiveness and ability to meet survivors' needs.

1.11 That is why our approach is built around the three pillars of:

- *protection & provision* - women need to know they can find the support they need, when and where they need it;
- *justice* - the legal system needs to deter crime and provide support and protection for women pursuing cases through the courts; and
- *prevention* - like other crimes, prevention is our long-term goal.

1.12 In the chapters which follow we set out under these three pillars the good practice that is available to be built on and what the Government is doing in addition to encourage progress.

The costs

1.13 Supporting women survivors and picking up the pieces from violence is already costing millions of pounds.

⁹ Trades Union Congress (1999).

¹⁰ British Crime Survey (1998).

¹¹ Dominy & Radford (1996).

¹² Home Office (1999).

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1.14 For example, research in Hackney estimated the cost of just one form of violence against women, domestic violence, as approximately £278m per year in Greater London alone. This did not include the costs of prosecuting offenders or the costs associated with domestic homicide (investigation, care of surviving children, trial, prison etc).

1.15 This represents a huge cost to society as a whole. And many of those costs are borne by organisations and individuals at the sharp end - providing emergency forms of help to women in crisis. This is expensive and inefficient: we must treat the causes, not the symptoms. And as we make progress, resources will be released for more proactive preventative work.

1.16 In addition to what is already being spent we are committing:

- at least £6m from the Crime Reduction Programme for new projects to reduce domestic violence, rape and sexual assault;
- a staged increase in Victim Support's grant to £19m by 2001 from £12.7m in 1998, including money to help vulnerable witnesses through the Criminal Justice process.

1.17 Other funders are also making a significant contribution: for example the National Lottery Charities Board, has so far granted more than £14m to organisations working with women who have experienced violence. These grants have gone to organisations such as women's aid and other women's refuges, rape crisis centres, survivor networks, child contact centres, and black and ethnic women's organisations focusing on violence. The Police and Health Authorities, local authorities and charities are also contributing significant sums to local partnerships.

1.18 Money is therefore important, but it is even more important that we establish an integrated approach, with professionals pulling together to provide an effective service. The key is effective partnership, where each partner contributes what they do best; resulting in the effective investment of resources to achieve collaborative working on the ground.

What is already being done

1.19 Over the last 25 years the voluntary sector, and more recently many statutory agencies have achieved an enormous amount. We pay tribute to them. It is thanks to them that there is so much from which to draw in setting out an agenda for the future. But provision is still patchy **[DN: map to be inserted]**. Our goal is that within 5 years there will be effective multi-agency partnerships operating right across the country, drawing on the experience and good practice in this report.

Crime Reduction - a new approach

1.20 The Crime Reduction Programme (CRP) is a new Government programme focused on crime prevention and reduction. It has funds of £250m over the next 3 years.

1.21 The majority of projects agreed under the CRP are aimed at both women and men, and are focused on high volume crime such as vehicle and property crime. Everyone is concerned about these forms of crime, but we also know that women are even more concerned about violent crimes and personal safety¹³. We have therefore decided to develop projects addressing domestic violence, rape and sexual assault as an integral part of the CRP. At least £6m, will be invested in innovative, practical projects around the country to build on best practice and develop effective techniques to prevent and reduce these crimes.

1.22 Under each heading, funding streams will be announced and bids sought for projects to be funded. The areas where we expect to be able to fund projects include:

- education and prevention programmes targeted at potential victims and offenders, particularly those in the adolescent 'acquaintance' group;
- 'target-hardening' of known vulnerable groups or areas, for example through CCTV or better street-lighting;
- work with offenders on domestic violence, rape and sexual assault;
- reducing attrition in the prosecution process as a means of reducing offending. This would have several strands including:
 - * better evidence-gathering and associated training for the police and CPS in handling rape and sexual assault cases as a way of increasing the prosecution rate. Improving evidence-gathering could include techniques such as the provision of polaroid cameras to police forces to allow the recording of injuries as soon as possible after the event; and
 - * provision of properly coordinated services to women (and other witnesses) during the prosecution process to reduce the likelihood of their dropping the case.

What we will deliver

1.23 The chapters which follow set out what we and others are doing to ensure progress is made.

1.24 The *Government* is committed to:

- *reducing crimes of domestic violence, rape and sexual assault by promoting practical projects within the Crime Reduction Programme;*
- *developing a new initiative on violence against women, to be promoted by a cross-cutting unit in the Home Office;*
- *holding a Special Criminal Justice System Conference in November 1999 focused on violence against women, followed up by regional seminars around the country;*

¹³ British Crime Survey (1998).

DRAFT

- reviewing funding for Child Contact Centres and conducting research into the outcomes of child contact arrangements;
- ensuring a consistent and firm approach to the crimes of violence against women across Government and public agencies; and
- monitoring and reviewing existing legislation to test its effectiveness, including a review of sexual offences and the definition of consent;
- exploring proposals for a new 24-hour helpline on all forms of violence.

1.25 For women we will deliver:

- follow-up action to our new awareness and publicity campaign, Break the Chain, launched with a leaflet for domestic violence survivors and individuals such as family, friends and neighbours who might be able to help them;
- awareness-raising and preventative programmes in schools, primarily through the PSHE curriculum, and in the wider community;
- a programme of activity focused on making our streets and public transport safer for women;
- a thorough new survey of violence in the workplace;
- sympathetic response by Housing Departments to applications from women made homeless by domestic violence;
- an expanded Victim Support Witness Service aided by an increase in Victim Support's grant to £19m;
- a concession in respect of the "One Year Rule" for immigrants who come to join partners already settled in the UK but whose marriages break down within the first year as a result of domestic violence;
- modernised sex offences legislation;
- better protection for vulnerable witnesses in the courts.

1.26 And for practitioners:

- revised guidance to promote proactive inter-agency partnerships;
- a new database of refuges and services around the country by the end of 1999;
- a stable funding mechanism for accommodation and support services;
- a more consistent approach to the collection and use of baseline data;
- performance indicators for statutory services including the police;
- new guidance for the police including on the effectiveness of pro-arrest policies;
- specialist training for prosecutors dealing with sexual offences;
- overhauled training and guidance in most areas of violence against women.

Taking the work forward

1.27 We will kick-start the process by a national conference for senior criminal justice system professionals in November 1999, addressing all forms of violence against women, followed by regional seminars around the country.

DRAFT

These will share and promulgate practical and innovative ways of working based on projects highlighted in this report. Progress will be monitored by an interdepartmental group which will liaise regularly with outside agencies and experts, both voluntary and statutory. The Minister for Women and Home Secretary will also receive regular reports.

The day to day work, focused on the promulgation of good practice and the promotion of the new initiatives described in this report, will be led by a cross-cutting unit in the Home Office, with regular input from the Women's Unit and other Government Departments.

2. PROVISION & PROTECTION

2.1 The Government's first priority must be to ensure that women experiencing violence get the help they need. The first person they see should either be able to provide the service they need or guide them directly to it. Women experiencing domestic violence may currently make up to ten different contacts¹⁴ before they get the help they need. This is unacceptable, not least because by the time many women actually seek help they are likely to be desperate. This chapter addresses their practical needs and shows how we can improve the protection and provision women are given.

Violence against women within crime reduction partnerships

2.2 Domestic violence is the largest single form of violent crime against women. Under the Crime and Disorder Act 1998, local crime audits are required to identify the nature and prevalence of all crime locally, including crimes such as domestic violence which are often not formally reported, and therefore not recorded by the police. Local partnerships are required to devise strategies to reduce crime and disorder in their area. A number have identified domestic violence as their top priority.

2.3 Good practice: Community Safety Strategy

Hackney Crime and Disorder Reduction Partnership audited sex-related crimes and domestic violence as part of their overall approach to crime and disorder. Their strategy for sex-related crime includes:

- sexual offences action plan;
- prostitution research programme;
- project to assist women who want to leave prostitution;
- prostitution reduction awareness and education programme.

To tackle domestic violence, the partnership is committed to:

- crimes of violence action plan;
- domestic violence reduction programme;
- public awareness programme;
- repeat victimisation programme;
- borough risk management panel;
- programmes for repeat violence offenders;
- survivors of domestic violence support programme.

Contact: Head of Community Safety, Tel 0181 356 3164.

What the Government is adding

2.4 The Home Secretary has proposed a target for domestic violence within the Key Performance Indicators for the Police on repeat victimisation. In November 1998 the Minister of State, Home Office, wrote to Chief Constables

¹⁴ Dominy & Radford (1996).

DRAFT

and local authority Chief Executives emphasising the need to cover domestic violence within local Crime and Disorder Act audits and to include a strategy to address the issue within the over-all crime reduction strategy for the area. He outlined the unacceptable scale of domestic violence, its hidden nature and the need to work closely with non-statutory specialist agencies such as Women's Aid. He also highlighted the financial consequences of *not* addressing domestic violence.

Integrated local approaches to violence against women

2.5 While domestic violence has been the focus for most inter-agency activity so far, the approach has the potential to be extended to all forms of violence against women. This is the approach we advocate, building on the fora that already exist.

2.6 Good Practice: Inter-agency forum addressing violence against women

Norwich's Violence Against Women Forum is an inter-agency group addressing rape, sexual assault, sexual harassment and domestic violence. The Forum meets on a quarterly basis and is facilitated by Norwich City Council. It aims to raise awareness and improve the response of local agencies to women and children experiencing violence. Membership includes the police, health authority, social services, victim support, probation service, women's refuge, rape crisis, a family lawyer's group, the education department and local women's organisations.

In 1994 Norwich City Council adopted a corporate policy on Opposing Violence Against Women. This policy applies to all departments who were asked to take whatever action they could to promote it. These actions included appropriate lighting, design and maintenance of public spaces; safety procedures for female staff; use of CCTV cameras; taking advantage of opportunities to measure and highlight violence in the development of initiatives; guiding women to support services; and procedures for dealing with sexual harassment of staff and members of the public. *Contact: Women's Safety Officer, Norwich City Council Tel 01603 622 333.*

The Leeds Inter-Agency Project (Women and Violence) was established in 1990 to develop a multi-disciplinary approach to improving the safety of women and their children from domestic violence.

The project trains staff, works with children and young people, monitors the work of partner agencies and is developing work in a number of areas including:

- **piloting multi-agency good practice initiatives;**
- **work with disabled women experiencing violence;**
- **work with civil and criminal justice agencies;**

- work with children witnessing or experiencing violence;
- piloting work in schools; and
- initiatives in health and social care agencies.

Leeds Inter-Agency Project offers training and consultancy on a national and international basis and is committed to sharing good practice with other multi-agency groups. Contact: Leeds Inter-Agency Project, Tel 0113 234 9090.

What the Government is adding

2.7 There are already around 200 inter-agency domestic violence fora across England and Wales. Each agency provides an appropriate response to women who have experienced violence and effective referral networks are used.

2.8 We see the sort of inter-agency partnership represented by domestic violence fora as the way forward. Later this year we will be issuing inter-Departmental guidance to agencies dealing with domestic violence. The guidance will emphasise the importance of agencies working in partnership. It will include practical advice on how such partnership might be established and operate, the role of domestic violence fora, the issues that are likely to arise, and how common problems might be avoided. Inter-agency work on domestic violence will be set firmly in the context of work by the local crime reduction partnerships set up under the Crime and Disorder Act and their over-all local strategy. We would like to see full coverage of domestic violence fora within 5 years and where appropriate they may wish to adopt an integrated approach to all forms of violence against women.

Integrated sexual assault centres

2.9 Integrated sexual assault centres provide a one-stop service for women who have been assaulted. Services provided include a medical examination, the opportunity to talk with the police and provide evidence if this is what the woman wishes, and counselling. Doctors, counsellors and the police work together to meet the needs of survivors of rape and other sexual offences. The centre is also able to collect and collate evidence; provide court preparation and support to those who choose to go to court; and provide testing and follow-up treatment for sexually-transmitted diseases.

2.10 Good Practice: Comprehensive approaches

St Mary's Centre, Manchester is one of the only services of its kind in the UK offering a comprehensive response to adults who have been raped or sexually assaulted. The Centre, which has been operating since 1986, is a joint venture between Greater Manchester Police, Greater Manchester Police Authority and Central Manchester Healthcare NHS Trust. Police funding pays for staffing and forensic examinations and the NHS provides the premises at St Mary's Hospital for Women.

This Centre accepts self-referrals, has 24-hour telephone access, employs crisis/advocacy workers and counsellors and is embedded in the NHS infrastructure. St Mary's provides a comprehensive and co-ordinated forensic, counselling and medical aftercare service to survivors of rape or sexual assault. Survivors are provided with information on relevant services, and with support through the court process where required.

Centre staff train police officers and health professionals, and provide information and guidance to magistrates and members of the local judiciary. At times they participate in community education programmes and undertake work with young people in schools. The police response to survivors of rape and sexual assault has greatly improved since the Centre's establishment. *Contact: Manager, St Mary's Centre, St Mary's Hospital, Hathersage Road, Manchester M13 0JH, Tel 0161 276 6515 or Fax 0161 276 6691.*

Newcastle's Reach project can be contacted at the *Rhonda Cross Centre, 18 Jesmond Road, Newcastle upon Tyne, NE2 4PQ, Tel 0191 212 1551.* Sunderland's STAR (Surviving Trauma After Rape) can be contacted on *Tel 01924 298 954.* In May 1999 Leicestershire Constabulary opened Juniper Lodge Sexual Assault Response Centre based on the St Mary's model. They can be contacted on their 24 hour line *Tel 0116 273 3330.*

Effective and integrated professional responses

2.11 There are many reasons why women do not report incidents of sexual and domestic violence to the police or other agencies. These include lack of awareness about or access to services available, concern that agencies will not be sympathetic or sensitive or will not provide the help needed, and fear of retribution from the perpetrator. For too long reporting levels have been very low for these reasons.

2.12 Increasing numbers of women are now reporting violent crimes to statutory and voluntary organisations. The number of rapes recorded by police has increased more than three-fold between 1985 and 1997, mainly as a result of the welcome increase in the reporting of acquaintance and intimate rapes. In spite of this, there is still significant under-reporting. In 1998, approximately 48,000 women contacted rape crisis groups affiliated to the Rape Crisis Federation and yet only 12% of these women reported the incident to the police. Similarly, only 17% of people who identified themselves as a survivor of a domestic assault said the police were aware of one or more incidents in the previous year¹⁵.

¹⁵ Home Office (1999) *Domestic Violence: Findings from a new British Crime Survey self-completion questionnaire* Research Study 191.

DRAFT

2.13 Some women approach services but do not disclose violence as the cause of their problems. For example, many women seeking medical help are not asked how their injuries were inflicted and by whom. If the opportunity for intervention is lost, the violence may continue.

2.14 Good Practice: Health Protocols

St Helier's Hospital, Sutton has introduced routine questioning on domestic violence as a cause of injury in Accident & Emergency.

2.15 Good Practice: Domestic violence survivors panel & One Stop Shop

Croydon has set up a panel of domestic violence survivors to advise the inter-agency domestic violence forum. The panel played a key role in initiating and developing Croydon's One Stop Shop Service that provides an integrated service to survivors of domestic violence. Members of the panel operate a 'friends' system to provide support to women coming forward to the One Stop Shop for help. *Contact: Head of Equalities, Tel 0181 760 5430.*

2.16 Whenever and wherever a woman seeks help, the professionals need to be alert to the possibility that she may have been assaulted and to guide her to the help she needs. Police, local authorities, health services and voluntary organisations should encourage women to report sexual and domestic violence. They can ensure that women are aware that they will receive a positive response if they come forward. They should consider:

- publicity campaigns, such as leaflets, posters and press coverage, to increase awareness of services and encourage women to come forward;
- routine questioning about sexual and domestic violence in areas such as health and mental health to encourage earlier identification of violence as an underlying cause of problems; and
- well-advertised complaints procedures so that women can feel confident that any difficulties they encounter will be taken seriously.

Elder abuse

2.17 Elder abuse has only recently begun to be explored in the UK and reliable information on incidence and prevalence is not available, though it is increasingly recognised by professionals. While both men and women are abused, the majority of victims of elder abuse are female and many of the victims are mentally and/or physically frail and dependent economically or emotionally. The abuse may occur within a relationship between partners or parent and child, or within institutions by a paid carer or other resident.

2.18 Good Practice: Integrated approach to prevention of elder abuse

The Sheffield Adult Protection Office was set up in 1996 by the City Council, the Health Authority and NHS Trusts, the Police and other

agencies. Its function is support, information, advice and awareness-raising. The Office is primarily aimed at professionals and voluntary bodies dealing with adults with care needs who may be suffering from abuse. Under the protection of the Sheffield Adult Protection Committee it develops and monitors joint practice across the different agencies on ensuring a consistent response to abuse. *Contact: Adult Protection Officer, Sheffield Adult Protection Office, Floor 6, Redvers House, Union Street, Sheffield S1 2JQ, Tel 0114 273 6870*

What the Government is adding

2.19 Inter-agency working is the most effective way of addressing this area. The Department of Health is leading a multi-agency group which will be producing a code of practice to help authorities deal with incidents of abuse to vulnerable adults. This will be published in the summer of 1999.

2.20 The Department of Health has made several grants to Action on Elder Abuse to fund projects including:

- eliciting information about local and health authorities work on elder abuse and policies and practice;
- a training video on dealing with elder abuse in residential care homes and nursing homes;
- a pilot telephone response line on elder abuse.

2.21 Following on from an evaluation of the Elder Abuse Response Line, the Department of Health is funding the expansion of the helpline to a national service.

Practical information on how to find services and protection

2.22 Leaflets and information cards can demonstrate that services are available and how to find them. In a variety of imaginative ways, ranging from posters to key rings, they can be targeted at places women regularly visit and be presented in a discreet format that can be kept hidden from the abuser.

2.23 Posters can be displayed in public buildings in locations like libraries, GP's surgeries, community and leisure centres, and hospitals. By publicly displaying information on domestic violence, rape and sexual assault, women can be encouraged to talk about the violence they have experienced and not feel it is something to hide or feel guilty about.

2.24 *Good Practice:* Practical information about help with violence against women at the local level

- **St. George's Hospital, Lambeth and Lewisham Health Trust includes information in maternity packs given out routinely to all pregnant women.**

- Greenwich Council has sources of help printed on the back of council car park tickets.
- Brent Council circulates community safety key-rings with main contact numbers to the public.
- Hackney Council has information about services printed on rent books of council tenants.
- Richmond Council puts hard-to-remove information stickers in public and pub toilets.
- Islington Council has published a leaflet on increasing women's safety when using minicabs.
- Hammersmith & Fulham Council has a leaflet: *No woman ever deserves to be raped*. This is available in English, community languages and on tape.
- Victim Support has a leaflet on rape and sexual assault.
- Chester Domestic Violence Initiative has a fold-out pocket-sized leaflet providing services' contact numbers.

2.25 Good Practice: Directories

Women's Aid Federation of England recently launched their *Gold Book*, a UK-wide directory of domestic violence refuge and helpline services. The directory includes good practice guidelines for how to make effective and safe referrals to Women's Aid services. Available from *WAFE, PO Box 391, Bristol BS99 7WS, Tel 0117 944 4411, email wafe@wafe.co.uk*

Broadcasting Support Services produce the *Survivors Directory* that lists support and counselling services for survivors of sexual abuse in Britain and Ireland. The directory includes:

- national and local counselling and self-help for adult survivors;
- support services;
- supported accommodation;
- agencies working with offenders, young people and adults;
- training and support for professionals;
- suggested reading; and
- using the Internet & useful websites.

The directory is available from *The Survivors Directory, Broadcasting Support Services, Tel 0161 277 7000, Fax 0161 277 7018.*

A number of inter-agency fora have produced directories of locally-based services. Hackney Domestic Violence Forum produced *Domestic Violence: A Directory for Service Providers* detailing local services. It is available from the *Community Safety Unit, Tel 0181 356 5000.*

DRAFT

What the Government is adding

2.26 One element of our *Break the Chain* campaign is a leaflet and supporting posters offering practical advice and sources of help to those experiencing domestic violence. The campaign encourages women to recognise what is happening, not to blame themselves and to seek help and support. It includes a pull-out section the size of a credit card which includes useful telephone numbers (including space for local agency numbers to be written in) which can be kept safely in case of need. Copies can be obtained from the *Home Office*, Tel 0171 273 4145, Fax 0171 273 2568.

Improving awareness in Benefit Delivery Offices

2.27 An important front-line service for many women and their children fleeing domestic violence is the local benefit office. Staff may need to help women continue to receive their benefits and to provide emergency access to refuge accommodation. Often women leave home without their possessions and have to establish themselves in a new locality. This can be extremely distressing, requiring sensitive handling by all involved.

2.28 Good Practice: Benefits Agency Statement on Domestic Violence

"The Benefits Agency (BA) is committed to providing a professional service to all our customers. We recognise the crucial importance of providing a supportive service to those of our customers who, at any time, have been the victims of domestic violence. In order to achieve this we will do the following:

- **ensure all frontline staff interview such customers sensitively and quickly, recognising the special need for privacy and security;**
- **ensure all BA staff are aware of the services available within their local area and are able to offer prompt, accurate advice and information;**
- **work in partnership with other agencies such as local authorities, Social Services departments, police and voluntary bodies;**
- **with the aid of other agencies and customers, continually review and evaluate the services we provide to those who are the victims of domestic violence and seek to improve."**

What the Government is adding

2.29 The DSS wrote in February 1999 to the Chief Executives of the Benefits Agency and Child Support Agency to urge them to raise the awareness and response levels of front-line staff. Ideas included having available in benefits offices the *WAFE Gold Book*, *Break the Chain* posters, and survivor leaflets.

2.30 The Benefits Agency has also agreed a new statement to guide its work with women survivors of domestic violence. Since April 1998 the Benefits Agency has taken over the bulk of information-gathering on Child Support from parents with care claiming benefit. The Child Support Agency is

DRAFT

proposing, in the Child Support White Paper published in June, to act as a "signpost" to other services by providing advice on local sources of assistance such as local women's refuges or locally-based child contact centres.

Violence Helplines

2.31 Helplines enable women to reach professional help, whether they need immediate access to services or to be counselled. Many helplines are currently operating and are a true lifeline for those who call them. Some take calls on domestic violence, others on rape or sexual assault and some on all forms of violence.

2.32 *Good Practice*: Current National Helplines

Women's Aid National Domestic Violence Helpline - 0345 023 468

- nationwide, 10am-5pm Mon-Fri, opening at weekends from July 1999;
- over 20,000 calls dealt with in 1998 (100,000 attempted calls recorded by BT);
- advice and telephone support provided by highly trained staff and volunteers backed up by a wide range of leaflets and other resources;
- funded in part by the Department of Health;
- established in 1974.

Refuge's 24-hour National Crisis Line - 0990 995 443

- national crisis line, 24 hours a day, 365 days a year which takes up to 20,000 calls a year and refers women and children on to the 250 refuges nation-wide;
- provides advice and support to those experiencing domestic violence;
- established 16 years.

Victim Supportline - 0345 30 30 900

- Nationwide lo-call service, 9am-9pm Mon-Fri, 9am-7pm weekends and bank holidays from 9am - 5pm;
- provides information and support to victims of all reported and unreported crime, including sexual crimes, racial harassment and domestic violence;
- funded by increase in Home Office funding to Victim Support;
- callers can be referred on to the local Victim Support Scheme for further help;
- established 25 February 1998.

What the Government is adding

2.33 The Government is committed to improving the accessibility of helpline services for women who have experienced violence. The Victim Supportline has been fully operational for over a year. During this time it has established itself as a unique service for anyone affected by crime. A 24-hour service

DRAFT

would extend its availability for women who are unable or unwilling to call at any other time.

2.34 The Supportline is often the first point of contact for people wanting information and emotional support. If appropriate, callers are offered a referral to a local Victim Support scheme or another external organisation. They do not have to report the crime to the police to get help.

2.35 We have asked Victim Support to consider making the service even more accessible, and they are looking at the possibility of keeping the lines open 24 hours per day. This will require both careful planning and additional funding. We will make every effort to find the necessary resources should the need for and viability of a 24-hour service be established.

Community alarms

2.36 Women known to be at risk of further attack can be given community alarms which brings an automatic and pre-arranged response as part of an overall safety plan. Alarms can both save lives and can enable women to live safely in their own homes. They are not infallible however: their use is often time-limited, some only work within a limited radius, and the level of safety depends on how quickly the police can respond. They cannot therefore operate in isolation from other support measures which are being considered as part of wider safety planning measures within urban and rural regeneration.

2.37 The range of alarm systems includes those which are designed to help women vulnerable to domestic violence, rape, sexual assault and other forms of intimidation including stalking:

- panic alarms - either a pendant around the neck or a silent unit connected to the existing phone line. These can be connected to the local police station or to another alarm service.
- Tunstall alarms - when the alarm is triggered, a recording device is activated and the recording can be used in evidence in later court proceedings.
- mobile 999 phones – flexible as they can be taken anywhere and are particularly useful for women who live in homes with no telephones.

2.38 *Good Practice:* Linklines

Norwich County Council linkline

A partnership between Norwich City Council, the Police and other support agencies, provides a domestic violence linkline which taps into the community alarm system run by the housing department.

Women are supplied with a pendant they can wear around their necks and a panic button on their telephone. When the woman presses the button a signal is sent to a control room operator who immediately

alerts the police that there is a grade 1 emergency call, while recording everything that is happening in the home.

Forest of Dean District Council linkline

Forest of Dean District Council funds the Tunstall Telephone alarm unit and Victim Support assists with monitoring costs. Victim Support decides if it is appropriate to provide an alarm unit and will install it as well as offer emotional and practical help. If the alarm is activated, the Council linkline takes the call. If a password is not given within 30 seconds, they call the police on 999. The linkline is left open until the police arrive at the address and all calls are taped.

South Tyneside Metropolitan Borough Council

Ten witness protection dispersed alarm units work in conjunction with community alarm systems administered by the Northumbria police. These are used for witness protection and cases of domestic violence.

Many more examples are featured in the Local Government Association *Survey of Community Alarms Systems*, available from the LGA, 26 Chapter Street, London, SW1P 4ND, Tel 0171 664 3300.

Housing and emergency accommodation

2.39 It is usually - and should be - a last resort for a woman to have to leave her own home. In these circumstances we should recognise that she is a double victim. If a woman is experiencing violence, or the threat of violence in her relationship she may need to leave home, either temporarily or permanently. Leaving home can be an immediate response to a crisis situation, or a more planned response to a long period of abuse or violence. Local authorities have a responsibility to provide assistance.

What the Government is adding

2.40 The Department of the Environment, Transport and the Regions (DETR), the Women's Unit, and the Department of Health published *Relationship Breakdown: a guide for social landlords* in May 1999. It provides social landlords with information about aspects of housing and family law affecting the rights and responsibilities of landlords and tenants. This includes issues raised when domestic violence is the reason for relationship breakdown.

2.41 DETR is also revising its guidance *Allocations and Homelessness*. The revised code will offer advice to local housing authorities about how to help people fleeing domestic violence. The advice includes:

- that they should consider waiving any residential requirement they have for entry to the housing registers to allow access to people from another district if they are fleeing domestic violence;

DRAFT

- that they should consider invoking emergency procedures to make a speedy allocation where necessary;
- that people who have suffered domestic violence should be treated as having 'reasonable preference' because they have a welfare need for settled accommodation;
- that women occupying refuges are in accommodation which is insecure and should be given reasonable preference on this ground;
- that people fleeing domestic violence should be treated as homeless, because it is not reasonable for them to return to the accommodation they have left and they should not be referred back to the authority from whose area they have fled;
- that people recovering from the effects of violence may be treated as vulnerable and therefore having a priority need for accommodation.

Refuges

2.42 Some women fleeing violence need safe accommodation and services that give them physical protection, confidentiality, support and advice to help them deal with the situation. It was to meet this combination of needs that the refuge movement, initiated and still run largely by the voluntary sector, was established. It has grown from the first refuge established in 1971 to a well-established network of over 400 refuges in England and 45 refuges in Wales.

2.43 Women can use refuge accommodation as a breathing space while they plan what to do next. Some will decide to pursue legal remedies such as legal injunctions and/or exclusion orders so that they can return home. Those unable or unwilling to return home for fear of further violence will need alternative accommodation.

2.44 Good Practice: Women's Aid Federation of England (WAFE)

Women's Aid is the national umbrella charity working to end domestic violence against women and children. Women's Aid has a membership of over 250 local domestic violence projects, providing refuge for 53,000 women and children each year, and outreach support and help to a further 150,000 women survivors. Women's Aid supports the development of a range of national and local specialist domestic violence services. They also:

- run the Women's Aid National Domestic Violence Helpline;
- co-ordinate and support the service development of local refuge projects;
- monitor legislation, policy and practice, and lobby for relevant changes;
- deliver consultancy, support and training services to local domestic violence projects and relevant agencies; and
- raise awareness of domestic violence among the public, professionals and media.

DRAFT

Women's Aid has nearly 30 years experience of working with survivors of domestic violence. Local Women's Aid projects include the provision of 24-hour access to safe accommodation; outreach support to women who may not want or need refuge; aftercare and resettlement work; and local helpline services. *Contact: Women's Aid Federation of England, PO Box 391, Bristol BS99 7WS, Tel 0117 944 4411. Email: wafe@wafe.co.uk or contact the Women's Aid Website for more information on work and direct services at: www.womensaid.org.uk*

Refuge is a national charity and a provider of help and support to women and children escaping domestic violence. It opened the world's first refuge in 1971 and now provides a safe place for up to 1200 women and children every year. This growing national charity offers a wide range of services including:

- a team of specially trained staff and over 100 volunteers;
- a 24-hour national crisis line operating 7 days a week, 52 weeks a year;
- a unique children's programme, which is part-funded by the Department of Health, which includes counselling with child psychologists, full-time nursery care and holiday programmes for children living in refuges;
- individual and group counselling for abused women;
- an outreach project for women from ethnic minorities;
- a resettlement team offering continued emotional and practical support during and after a move-on from the refuges.

Contact: Refuge, 2-8 Maltravers Street, London WC2R 3EE, Tel 0171 395 7700.

Black Association of Women Step Out Ltd (BAWSO) is an organisation affiliated to Welsh Women's Aid and WAFE that aims to provide a holistic service to all visible ethnic minority women and children experiencing domestic violence in Wales.

BAWSO has two purpose-built refuges that cater for the needs of different religions and cultures and provide facilities such as a prayer room and Halaal and vegetarian kitchens. BAWSO staff offer advice and information on domestic violence, welfare rights, and housing; provide support and counselling; participate in inter-agency work; and have multi-lingual workers. As the majority of women who come to the refuge have children, BAWSO also has two full-time childcare workers. *Contact: BAWSO, Women's Aid for Black and Ethnic Minority Women, 109 St Mary Street, Cardiff, CF1 1DX, Tel 01222 343154.*

What the Government is adding

2.45 We will provide information on a consistent basis about refuges and other services around the country. DETR, the Department of Health and the Women's Unit have commissioned research from the London Research

DRAFT

Centre and Women's Aid Federation of England to establish the first comprehensive database of accommodation and support services available to households experiencing domestic violence. The research will provide guidance for local authorities on the range of options for addressing the needs of these households. It will be published in summer 2000.

Funding for refuges, rape crisis and support centres

2.46 Funding for accommodation and support services comes from a variety of sources – via housing benefit, local authorities, health authorities, housing associations, rent from users, charities, the National Lottery and private donations. Current funding streams are complicated and overlapping. As a result, uncertainties about funding are one of the biggest headaches for refuges and other support centres. The current structure does not allow proper consideration of value for money, quality of service provision, or transparency in the use of resources.

What the Government is adding

2.47 We recognise the need for a more transparent system of funding for these important services. We therefore propose to introduce an integrated policy and funding framework for support services, *Supporting People*. This will bring together local housing, social, and probation services to work in partnership to plan and fund support services for survivors of domestic violence and other vulnerable groups. Along with other sources of funding, the new arrangements could also contribute to funding crisis help for rape victims, such as services provided by rape crisis centres.

2.48 The responses to the Government's consultation document *Supporting People: A new policy and funding framework for support services* (published in December 1998) indicated support for the principles of the new framework. The long-term proposals will be implemented in April 2003 and we will work with stakeholders to develop the detail. The long-term arrangements will be preceded by a time-limited transitional Housing Benefit scheme which will be introduced in April 2000.

Provision of information, advice and advocacy

2.49 Information, advice and advocacy are crucial for women who have experienced violence, especially those who decide to take their case through the criminal justice system.

2.50 *Good Practice: Information, Advice and Advocacy*

Southall Black Sisters (SBS) provides a comprehensive and holistic service to Asian and African-Caribbean women. It provides both crisis intervention and long-term casework. The service draws from the experiences of individual women and works on policy development and campaigns to ensure wider changes and reforms in social attitudes, policy and practice. SBS' particular focus on the needs of black and

minority women helps to mainstream the concerns of these women and gives this disadvantaged group access to social justice.

SBS was established in 1979. Its resource centre provides information, advice, advocacy, counselling and support. Services are provided to women who have experienced domestic violence, forced marriages, abductions (children and young women), and conflict in the family and community; stranger and acquaintance rapes, and sexual harassment. SBS also deals with inter-related issues such as racism, immigration and asylum, homelessness, economic problems, matrimonial law, children's welfare, and mental health concerns such as trauma, depression, suicide and self-harm. *Contact: Southall Black Sisters, Tel 0181 571 9595.*

Domestic Violence Matters (DVM) was an innovative three-year pilot project based in Islington Police Station. The model combined a one-stop location for information, advice, co-ordination of responses with an interventionist pro-active response to incidents of violence.

DVM aimed to provide civilian support workers to follow up police responses; establish the principle that domestic violence is a crime; enhance law enforcement responses; and create consistent and co-ordinated responses among local agencies. The civilian support workers were based in a police station and provided an out-of-hours service.

An evaluation of the project showed that over the three-year period it was successful in decreasing repeat calls to the police. It was also successful in making effective referrals and using a case advocacy approach to effect change in local service provision. The key findings from a three-year evaluation were published by the Home Office in May. *Contact: Home Office, Information and Publications Group, Tel 0171 273 2084.*

Victim Support has over 400 local schemes throughout the UK providing information, practical help and emotional support to people affected by crime. The majority of referrals are through the police, and others are through organisations and professionals, as well as self-referrals. Victim Support trains all their volunteers to ensure that those affected by crime, in all communities, receive the support and services they need. *Contact: Victim Supportline, Tel 0345 30 30 900*

Nottingham Women's Centre provide a range of women's community initiatives and self-help projects, as well as a specialist helpline, outreach and advice services for women experiencing domestic violence and rape. The Centre provides a safe and 'non-stigmatising' point of access as they are not advertised overtly as being a service for

women who have experienced violence. The Centre also liaises with a wide range of multi-agency groups. Contact: Tel 0115 941 1475.

What the Government is adding

2.51 In February 1999 the Home Secretary announced a significant increase in Victim Support's grant. By April 2001, the grant will rise to £19m, making Victim Support one of the largest Government-supported voluntary organisations. Part of the funding will enable the implementation of a new, nationwide support service for witnesses in magistrates' courts.

Long-term impacts

2.52 Violent experiences can have very damaging long-term consequences for women, including homelessness, physical and mental health problems, alcohol or drug abuse, and reduced employment opportunities.

2.53 The Probation Services have found that experiences of sexual and domestic violence are a key feature in the lives of many women offenders, and a significant proportion have experienced domestic violence and/or sexual abuse. This needs to be taken into account in the development of programmes for women offenders.

2.54 Many women using mental health services are likely to have experienced sexual or physical abuse at some time in their lives. Studies have found rates of early sexual abuse in psychiatric patients ranging from 14-75%¹⁶.

2.55 Good Practice: Voluntary services providing long-term help

Newham Asian Women's Project has adopted a holistic approach to support services for women who have experienced domestic violence. As well as advice and support they offer employment training to help women rebuild their lives. Contact: Tel 0181 472 0528.

Rape Crisis Federation is a national charity which provides a national focus for Rape Crisis and Sexual Abuse Centres in England and Wales. It has been established since 1996, currently has 50 members and provides them with support and training opportunities. It has received funding from the National Lottery and aims to:

- raise the profile of the Rape Crisis Movement;
- act as a national voice for female survivors of sexual violence and for Rape Crisis Centres.

The Federation supports projects such as the Black Women's Network, the Lesbian and Bisexual Workers Network and the Young Women's

¹⁶ McNulty & Wardle (1994) 'Adult Disclosure of Sexual Abuse: A Primary Cause of Psychological Distress?' *Child Abuse and Neglect* 18(7)549-555.

DRAFT

Worker's Development Network. The Young Women's Network has produced a work pack with material to raise young people's awareness of issues surrounding rape and sexual abuse.

Contact: Julie Barnard or Irene Murray (training co-ordinator), Rape Crisis Federation, 7 Mansfield Road, Nottingham NG1 3FB Tel 0115 934 8474.

South Essex Rape and Incest Crisis Centre (SERICC) provide specialist, holistic, women-centred support, advocacy and counselling to women who have experienced, or are experiencing, sexual violence. A range of services is provided to meet the identified needs of women:

- telephone and 'one to one' counselling and advocacy;
- sexual health information and advocacy;
- women's outreach community work;
- women's health groups and activities;
- experiential learning;
- refugee and asylum seekers women's groups, support and advocacy;
- women's 'drop-in' and self help groups;
- information and advocacy in relation to court procedures and Criminal Injury Compensation Claims; and
- childcare to enable access to service.

SERICC is funded in part by the local health authority and social services. **Contact:** SERICC, Tel 01375 381322.

The impact on children

2.56 Domestic violence scars the lives of many children. Nearly a third of the children of domestic violence survivors are aware of what is going on - this rises to 45%¹⁷ if the woman has suffered repeat violence. Depression, anxiety, hyperactivity, eating problems, heightened aggression, difficulties with concentration and stress-related illnesses such as asthma and bronchitis, are all short or long-term effects on children witnessing violence.

2.57 Good Practice: Resources for working with children in refuges

Women's Aid has developed a resource pack *All Children Should be Safe* for working with children in refuges. This aims to help children work through their feelings about violence so that short and long-term emotional and psychological problems are lessened. WAFE also provide a range of publications specifically targeted at children who have witnessed or experienced domestic violence and those working with them. **Contact:** c/o Women's Aid, PO Box 391, Bristol BS99 7 WS Tel 0117 944 4411.

¹⁷ British Crime Survey (1996)

Monitoring, evaluation and review

2.58 Monitoring, evaluation and review are essential if we are to learn from and improve services. We need data to indicate the scale of the problem to be addressed, the resources devoted to it and the effectiveness of measures taken. We do not yet have adequate information and this is impeding the development of more effective responses. Agencies need to establish proper recording systems which will be able to identify:

- all approaches to the service as a result of violence;
- the circumstances prompting each approach;
- the action taken;
- the outcome of the intervention; and
- demographic information on the victim and perpetrator.

2.59 Where there is local or national guidance, recording systems need to be able to identify whether the guidance is being followed. Over time proper monitoring enables:

- incidence to be more accurately estimated;
- trends to be analysed; and
- facilities, services, policies and practices to be evaluated and improved.

2.60 More accurate recording of information on each case can improve the response to specific cases. The information held may be used, for example, to assist in obtaining an injunction, or to develop more effective responses to repeat offending.

2.61 We still need accurate, up-to-date and reliable information on the nature, scale and extent of violence against women. Some of this could be provided by a national prevalence study. Canada, Australia, New Zealand, Finland, and the USA have produced such studies over the past decade. The University of Leeds is looking at the methodology for a prevalence study in England and Wales.

What the Government is adding

2.62 The Home Office has established a working party to improve monitoring systems for violence against women. We are developing improvements to current practice and will be piloting new approaches to improving baseline data on domestic violence, rape and sexual assault.

National performance indicators for statutory services

2.63 We are establishing Performance Indicators right across the public service. This is to establish clear standards of performance expected, and to ensure accountability among those responsible for delivering them.

DRAFT

What the Government is adding

2.64 We are developing national performance indicators for the Criminal Justice System. These will set targets for the strategic objectives including reducing crime, reducing the fear of crime, and the effectiveness of support given to victims through the Criminal Justice System. Projects in relation to violence against women under the Crime Reduction Programme will include targets to test their effectiveness in delivering these goals.

2.65 The Audit Commission, working with central Government and local authorities, is exploring options for introducing performance indicators for the police and local authorities on their response to violence against women and in particular domestic violence. The Audit Commission intends to consult on draft indicators during this year and if they are acceptable, these indicators will be introduced from the year 2000/01.

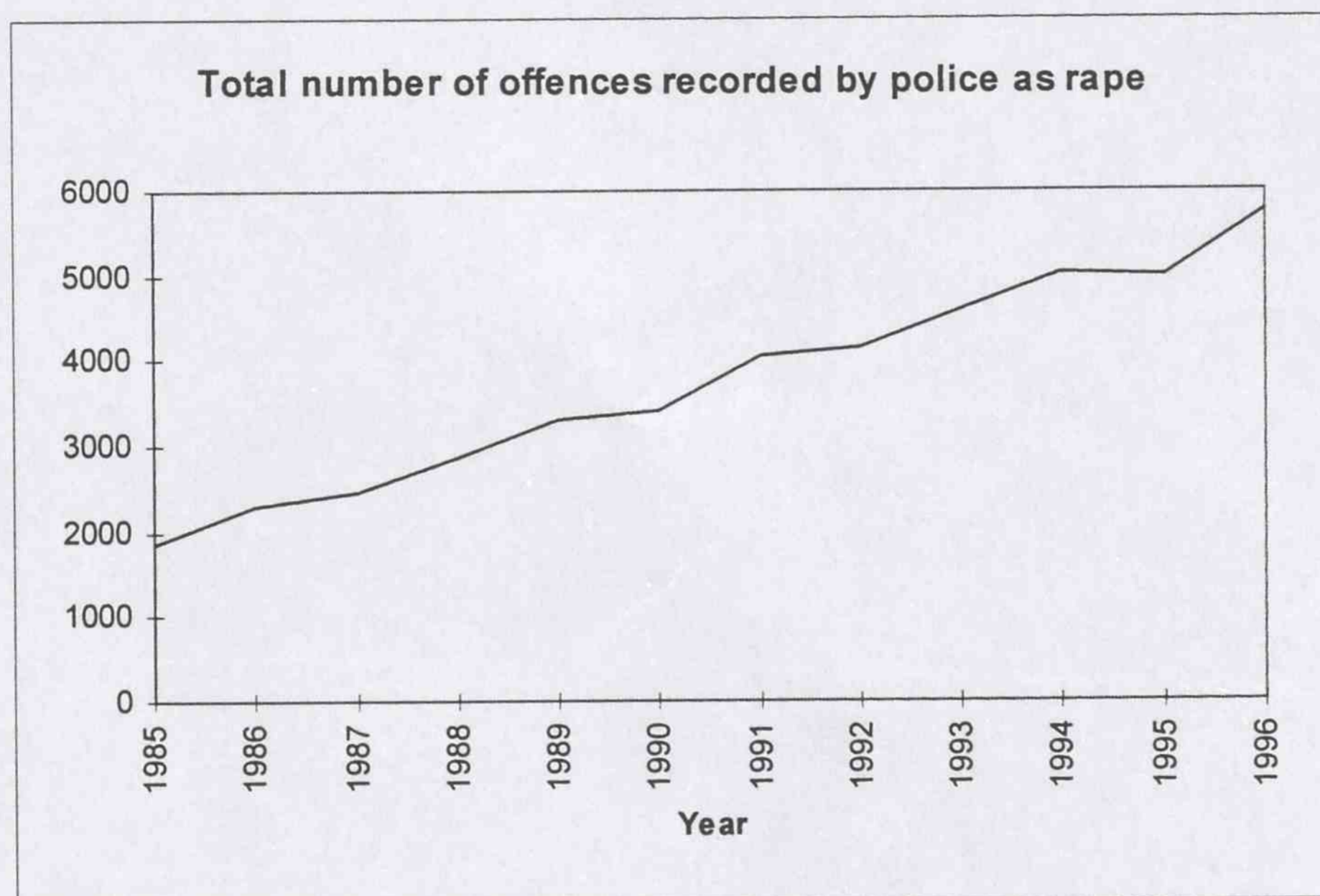
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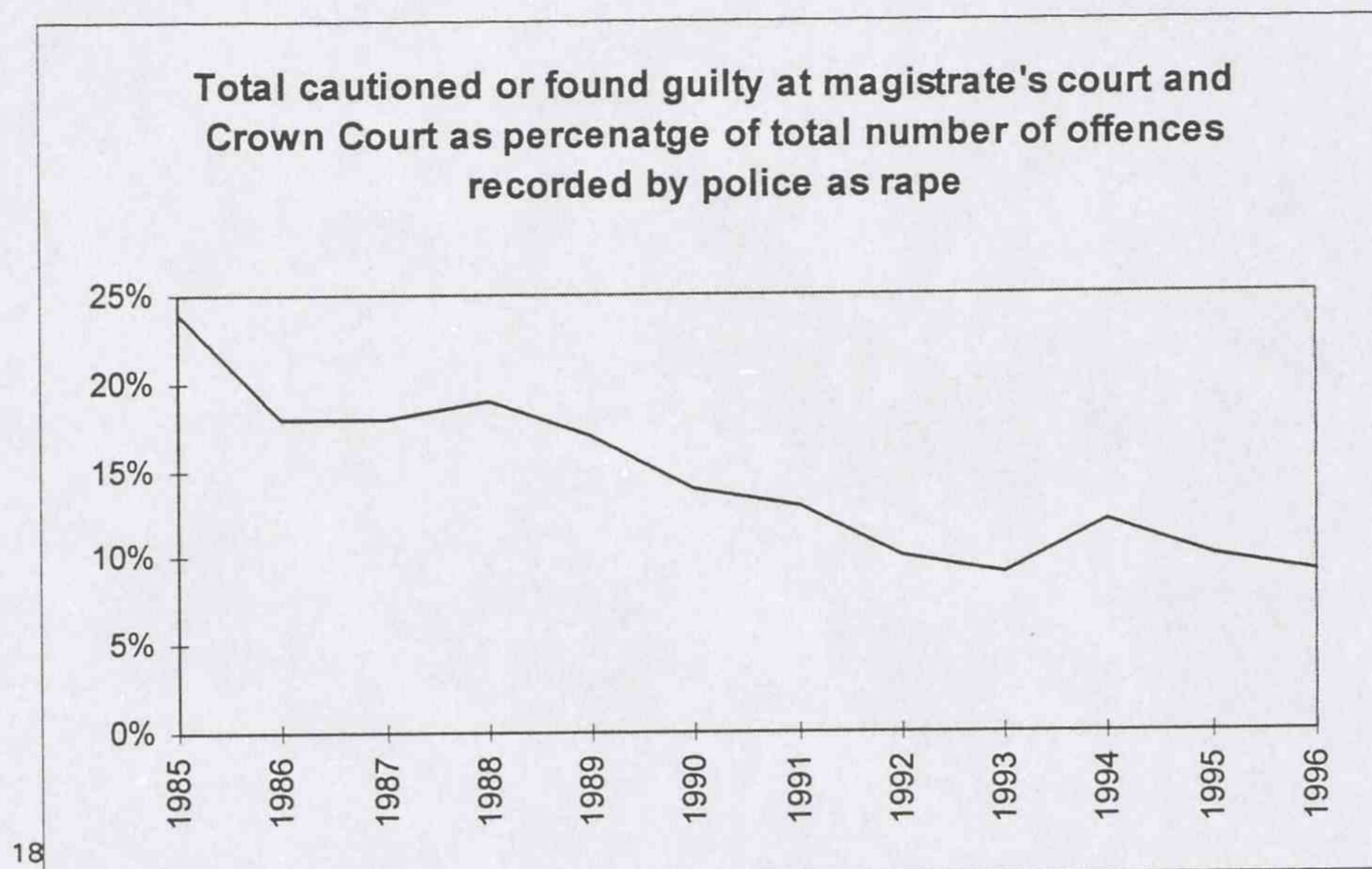
3.1 It is not enough to protect women when they are at their most vulnerable. When crimes have been committed, the Criminal Justice System must serve their needs and deliver justice to them. But whether women experiencing violence seek and find justice depends on a number of factors. These crimes can be complicated; for example by virtue of a relationship between victim and perpetrator; the lack of adult witnesses and the consequent difficulty for the police of obtaining evidence; and fear of the criminal justice process. These are all issues we must address if justice is to be provided.

Attrition rate

3.2 Of crimes committed, a smaller proportion are reported; of those reported, a smaller proportion are prosecuted; of those prosecuted a smaller proportion end in conviction. This progressive reduction between crimes committed and those which end in conviction is the process known as attrition. One of the characteristics of the crimes of violence against women is the very high attrition rate. Whilst under-reporting and under-recording of these crimes make attempts to give hard and fast figures very difficult, the following trends are apparent:

- the number of rapes reported to the police has more than trebled over the past 15 years with an increase in recorded rape every year since 1983;
- the number of indecent assaults on a female has almost doubled in the same period with an increase every year except 1995;
- while the number of offences recorded by the police as rape increased by 3,917 between 1985 and 1996, the number of convictions increased by only 123.

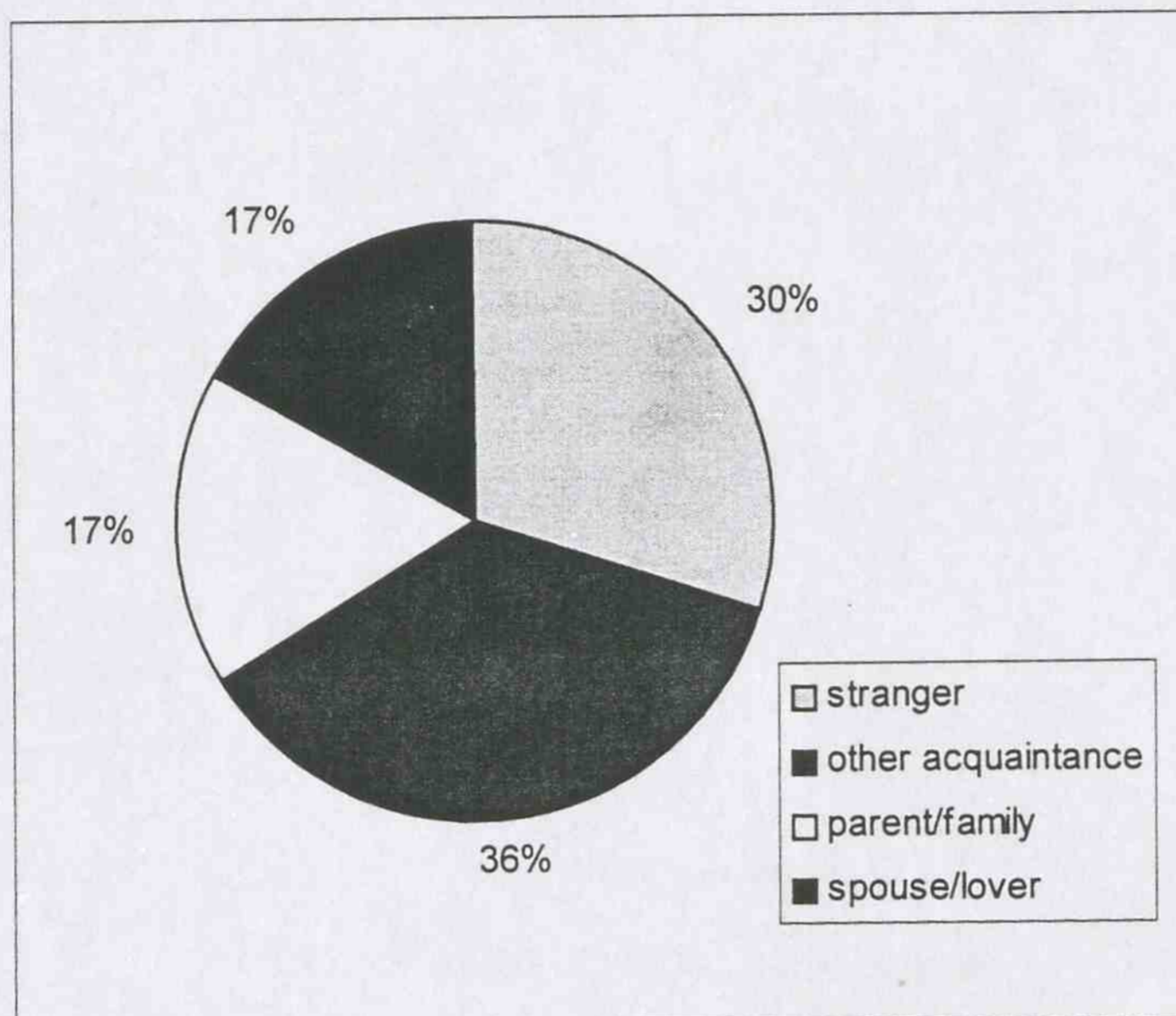




3.3 The end result of this is that the conviction rate for rape and sexual assault is falling. There are reasons for this, principally that the fastest rising offences, at least in terms of increased reporting, are acquaintance and intimate rapes. These are offences where, by definition, the woman can name the offender. The issue, therefore, is not detecting the offender, but being able to establish to the criminal standard of proof of 'beyond reasonable doubt' that consent was withheld.

¹⁸ Home Office (1997) *The Processing of Rape Cases by the Criminal Justice System: Interim Report*, Research and Statistics Directorate.

Relationship between rape victim and suspect in incidents recorded by police¹⁹



What the Government is adding

3.4 We intend to address both the rising reporting rate and the high attrition rate for these offences as a matter of urgency. Following the publication of forthcoming Home Office research on rape, the Crime Reduction Programme will include a number of projects designed to reduce crime by reducing the attrition rate for cases in the courts. We are also committed to looking at the issues surrounding consent within our sex offences review.

A pro-arrest approach by the police to domestic violence

3.5 A woman's first formal contact in seeking justice will be the police. The effectiveness of the police response at that point is crucial in bringing the perpetrator to justice and preventing further violence. One of the most significant changes in police attitudes has been towards a 'pro-arrest' approach as an effective means of reducing repeat victimisation. This reflects the fact that women rarely contact the police until they reach desperation. 'Pro-arrest' means that where there is sufficient evidence of an offence and the police have the power to make an arrest, the suspect is arrested.

3.6 Good Practice: Intervention models

The West Yorkshire police have piloted, in one division, a graded response model to domestic violence that has reduced repeat

¹⁹ Watson, L. (1996) *Victims of Violent Crime Recorded by the Police, England and Wales 1990-94 Home Office Statistical Findings Issue 1/96*, Home Office Research and Statistics Directorate, London. Cited in the ESRC Violence Research Programme, *Taking Stock: What do we know about Violence?* (1998)

victimisation. The three-stage intervention model is directed at both perpetrators and victims, incorporating an inter-agency approach. The option of police officers taking 'No further action' has been eliminated. Instead, a series of interventions are implemented depending on the number of previous police attendances. The project is aimed at the 90% victims of domestic violence (women) and male perpetrators.

The project uses three levels of interventions: at a first police attendance (Level 1) letters are sent to both victims and perpetrators and an information card of local contacts is included for the women. At a second attendance (Level 2) letters are again sent to both victims and perpetrators, but an officer visits the women and, with her consent, Cocoon Watch (a variation on neighbourhood watch) is instigated. At a third or more attendance (Level 3) letters are again sent and the Domestic Violence Officer visits the women and Police Watch (a regular drive-by by patrols cars) is set up. Other interventions, such as emergency telephone systems and contact with outside agencies (housing, social services Crown Prosecution Service, probation etc.) are also implemented.

The letters sent to the women and perpetrators reinforce the message that domestic violence is a crime which the police treat seriously and that it is their policy to arrest the offender wherever possible.

An evaluation of the first 12 months of the project was carried out by the Research Centre on Violence, Abuse and Gender Relations, Leeds Metropolitan University and is available from the Home Office (Policing and Reducing Crime).

For further information on the evaluation *Contact: Research Centre on Violence, Abuse and Gender Relations, Leeds Metropolitan University Tel 0113 283 6710.* For information on the operation of the project *Contact : DCI Aidan Byrne, West Yorkshire Police Headquarters, Force Co-ordinator Domestic Violence and Child Protection Unit Tel 01924 292 388.*

Hammersmith and Fulham Domestic Violence Forum is piloting a project, Standing Together Against Domestic Violence based on the Domestic Abuse Intervention Project in Duluth, USA. In the belief that protecting survivors requires police, prosecutors, probation and women's refuges to work together in an explicit way it shifts emphasis from merely changing policing policies to integrating all agencies dealing with domestic violence.

Fulham Police now thoroughly investigate all allegations of domestic violence and use a positive arrest policy to hold offenders accountable for their actions. They provide support for the survivor by keeping her informed and encouraging referral to the Hammersmith Women's Aid advocate, thus taking the burden of prosecution off the woman. They

also train officers on enhanced evidence gathering and work in close liaison with other agencies. Another key aspect is tracking cases through the system to ensure that agreed policies and procedures are followed. This function is done daily and results are fed back to partner agencies at frequent intervals so that they can refine their performance as necessary. *Contact: Standing Together, c/o Community Safety Unit, London Borough of Hammersmith and Fulham, Fax 0181 576 5666.*

What the Government is adding

3.7 In January 1999 the Home Office published the report *Policing Domestic Violence: Effective Organisational Structures*. This showed that most police forces had a domestic violence policy statement and highlighted the dedication and professionalism of individual domestic violence officers. Thirty-six out of the 43 forces in England and Wales had specialist officers. While no single best practice model was identified, the report made recommendations for improving police responses to domestic violence.

3.8 The Home Office, in consultation with the Association of Chief Police Officers, is currently working on a revised circular to the police on domestic violence, with a view to issue later this year. This circular will contain updated legal references and include reference to the findings of relevant research.

Dealing with sexual offences

3.9 When a woman who has been sexually assaulted reports the crime to the police she may have had to overcome many barriers to do so. She needs to be certain of a sympathetic and supportive response.

What the Government is adding

3.10 We have introduced a number of measures in recent years to improve the police response to those who have experienced rape and sexual assault. Police forces now provide training for officers dealing with rape victims. Some have a chaperone system where a female officer is assigned to the victim throughout the investigation. Since 1986, when the Home Office issued Circular 1986/69, there has been widespread creation of rape examination suites but, as a survey by Victim Support has confirmed, there is still a need for more contact and information for victims from police after reporting.

3.11 The Home Office's research report *A Question of Evidence? Investigating and Prosecuting Rape in the 1990s* aims to discover what factors influence whether or not a recorded rape leads to a conviction. This study is due for publication in July 1999. The findings of this report will be fed into our sex offences review.

Vulnerable or intimidated witnesses

3.12 We know that survivors of rape and sexual assault can be extremely vulnerable in court. The Youth Justice and Criminal Evidence Bill provides protection and support for witnesses in criminal trials. The Bill contains a range of special, practical measures that will help, amongst others, witnesses in cases of domestic violence or sexual offences give their best evidence in court.

3.13 The special measures available include:

- screens to ensure that the witness cannot see the accused;
- giving evidence by live television link;
- excluding people from the courtroom, or galleries, so that evidence can be given in a more private setting;
- allowing as witnesses' evidence-in-chief a video-recorded interview with the witness; and
- allowing as evidence pre-recorded video cross-examination.

3.14 Children and witnesses who have a disability will also be able to give evidence with the assistance of:

- an approved intermediary; and
- communication aids, such as alphabet boards.

3.15 The court will presume that complainants of rape and other sexual offences will need assistance when giving evidence.

3.16 The Bill imposes a mandatory ban on unrepresented defendants personally cross-examining complainants of rape and other sexual offences. It also restricts the circumstances in which evidence or questioning about a complainant's previous sexual history may be admitted. Such evidence may not be admitted if the purpose of the evidence is to denigrate her character. The courts will also be able to restrict the reporting of a witness's identity, if their fear or distress is so great that it affects the quality of their evidence, or their co-operation with either party in the case.

3.17 These special measures were recommended in *Speaking up for Justice* - the report on vulnerable or intimidated witnesses which we published in June 1998. The other recommendations which will affect women who have experienced violence include:

- realistic choice of being examined by a female doctor for survivors of rape and sexual assault;
- presence of a suitable 'supporter' when interviewed by the police;
- meeting the prosecutor before the trial;
- pre and post-trial support to be provided by an agency other than the police, such as Victim Support; and

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- training for all those working in the criminal justice system to raise awareness of the needs of vulnerable or intimidated witnesses.

3.18 We will publish a plan to implement *Speaking up for Justice* by Autumn 1999.

3.19 Good Practice: Victim Support's National Witness Service

Victim Support's Witness Service is available in every Crown Court centre in England and Wales. It can arrange familiarisation visits to the court prior to the trial, offer a separate waiting area before, during and after the trial; help with expenses and provide advice about compensation. Victim Support also runs 100 schemes in Magistrates' Courts. In 1997/98 over 18,000 people who gave evidence in rape and sexual assault cases made use of their services. Contact: Victim Supportline, Tel 0345 30 30 900

Bristol Crown Court has special services for witnesses on the day of the hearing. A witness suite suitable for victims of domestic violence and rape is available. The suite is located in a separate part of the building from where defendants wait. Witnesses also have a service volunteer with them at all times during the hearing. Contact: Witness Service Co-ordinator, Bristol Crown Court, Tel 0117 976 3069

The Crown Prosecution Service

3.20 The second institution in the justice chain is often the Crown Prosecution Service (CPS), which reviews cases passed to them by the police after they have charged a defendant. The CPS decides whether there is sufficient evidence to provide a realistic prospect of conviction and, if so, whether it is in the public interest to prosecute. If the case passes both of these tests they prepare the criminal case for court and conduct the case. Their role is central to ensuring that the justice system responds effectively to crimes of violence against women.

3.21 Good Practice: Quality of evidence

Lancashire and Hertfordshire police forces have been piloting the use of Polaroid cameras to record victims' injuries. The photographs are attached to the prosecution files and can be used in overnight remand situations, bail applications, deciding on appropriate charging and for sentencing purposes. This evidence has been useful in eliciting guilty pleas.

The Local Trials Issues Group in Plymouth launched a six month pilot of fast-tracking domestic violence summary offences in January 1999. The pilot sets time limits for the agencies involved - the police, CPS and Plymouth Magistrates' Court - and the approach will be evaluated. Contact: Prosecution Team Leader, CPS South West, Plymouth and

Cornwall Branch, St. Andrew's Court, St Andrews Street, Plymouth PL1 2AH.

3.22 Good Practice: Specialist Domestic Violence Court

The country's first dedicated domestic violence court is being piloted in Leeds. The project is designed to enhance the effectiveness of the court system, both in terms of sentencing and of victim support. The court will sit each Monday, hearing cases from across the City of Leeds.

The new court was established at the suggestion of a multi-agency working group chaired by West Yorkshire Probation Service with representatives of the Bench, clerks, the Crown Prosecution Service, the Law Society, police and organisations working with victims of domestic violence. Contact: Leeds City Council Press Office, Tel 0113 247 4713.

What the Government is adding

3.23 The CPS Inspectorate published a thematic review of cases involving domestic violence in 1998, and its recommendations are now being implemented. The review covered the CPS' role in identifying domestic violence cases, providing advice to the police, reviewing, preparing and presenting cases at court. The involvement of the CPS in local inter-agency initiatives has helped improve local responses to domestic violence. The victim may be particularly vulnerable to ongoing pressure, harassment and violence from the perpetrator to withdraw evidence. The CPS is responding to this problem by working with the police to improve evidence-gathering and by providing input into police training.

3.24 In cases involving vulnerable or intimidated witnesses, which may include the victim of a sexual offence, *Speaking up for Justice* recommends that the CPS meet the investigating police officer for an early strategy meeting. This would allow them to agree the form in which the statement should be taken and what measures might be needed to assist the witness in giving evidence.

3.25 Another recommendation was that the CPS arrange meetings between the prosecutor and vulnerable or intimidated witnesses. This is to increase victims' confidence in the criminal justice system and reassure them that their interests will be properly taken into account. We will issue guidance for both strategy meetings between the police and CPS, and for meetings between prosecutors and witnesses.

3.26 We are also planning specialist training for prosecutors on sexual offences. The training will aim to raise awareness of the issues involved in prosecuting such cases, for example post-traumatic stress reactions and the impact on the victim. Several countries have introduced initiatives to increase successful prosecution. In the USA and South Africa, for example, the

DRAFT

introduction of specialist prosecutors in rape and sexual assault trials has led to a significant increase - up to 30% - in both prosecution and conviction rates.

Perpetrators Programmes

3.27 In order to reduce violence the behaviour and attitudes of perpetrators must change. There is much debate about the effectiveness of perpetrator programmes, with different studies producing inconsistent results. We need to build on best practice to promote those that are effective.

Probation Service Programmes

3.28 The Probation Service works with offenders and ensures the safety of victims with whom they work. The Service runs schemes working with domestic violence perpetrators aiming to challenge their behaviour. Most of the men are mandatory participants as a result of a court order. A probation circular issued earlier this year by the Home Office invited applications for funding for the development of new "Pathfinder" projects. Programmes addressing domestic violence, with perpetrator and survivor support modules, are amongst those for which expressions of interest are being invited with a view to work starting in the early summer.

3.29 *Good Practice:* North Hampshire Perpetrators Programme

Hampshire Probation Service, in partnership with Hampton Trust Domestic Violence Project, runs the North Hampshire Domestic Violence Perpetrators Programme. This has been running since 1995 and is a 30 week, group-work programme that receives referrals from probation officers, the courts, statutory and voluntary organisations and self-referrals. Services for survivors are offered in parallel with the perpetrators programme, including informal drop-in and advice sessions, as well as individual and structured group-work. These are also available to women whose partners are not on the programme. A free crèche is available to enable access for those with children. Contact: Developments & Project Manager, Hampton Trust, Tel 01703 902442.

Voluntary programmes

3.30 There are also a number of voluntary programmes in England and Wales. Many are based on the premise that domestic violence is about the abuse of power and control in male/female relationships. For these reasons many programmes have moved away from anger management, which can reinforce these beliefs, towards an approach built on mutual respect. This is the approach we commend. Workers on these programmes will need adequate training in cognitive-behavioural or psycho-educational approaches and ongoing supervision.

3.31 *Good Practice: Voluntary Perpetrators Programmes*

The National Practitioners' Network has produced a set of principles to guide services running perpetrator programmes. These are:

- the safety of women should be at the forefront of projects;
- domestic violence is an indicator of violence towards children and is itself abusive to/for children. Therefore there are always concerns for children's emotional and physical well being;
- male perpetrators are responsible for their violence and their abusive behaviour;
- the primary focus of projects is increasing women's safety by ending men's violence to women. Couples' work, anger management or mediation are not an appropriate setting in which to address men's abusive behaviour towards women;
- projects should not embark on this work without an active commitment to wider social change to end oppression on the basis of gender;
- domestic violence is a criminal act and a legitimate concern of the Criminal Justice System. Agencies must ensure that men do not use their attendance on the programme to avoid the legal consequences of their behaviour;
- projects must be prepared to seek dialogue actively with women's groups working with survivors of violence about the approach and content of their programmes for men;
- projects must avoid competing directly for funds with groups who work with survivors of domestic violence. The full minimum standards provide a baseline for projects to follow to operate safely and are available from *DVIP, PO Box 2838, London W6 9ZE, Tel 0181 563 7983.*

The Domestic Violence Intervention Project (DVIP), Hammersmith and Fulham combines a Violence Prevention Project (VPP) working with men and a Women's Support Service (WSS) working with partners of men on VPP and women who self-refer. The overall philosophy is to empower women and increase their safety, and to stop men's use of violence and abuse. A two-year evaluation of the DVIP by the Joseph Rowntree Foundation concluded that programmes for violent men when combined with pro-active responses to women have a part in co-ordinated responses to domestic violence. However, work with men should not be undertaken without an attached support service for women, and there should be routes onto programmes for voluntarily referred men. *Contact: DVIP, PO Box 2838, London W6 9ZE.*

Sex offenders programmes

3.32 It remains uncertain just how effective treatment programmes for sex offenders are. But a growing body of research into their effectiveness has

DRAFT

produced encouraging results, both in terms of changing attitudes and a reduction of repeat offending.

3.33 Well-designed programmes which target both higher and lower-risk men can help reduce sexual re-offending. Good programmes achieve this by challenging distorted thinking patterns which can lead to offending, by developing victim empathy and by including comprehensive relapse prevention plans. They also include monitoring treatment integrity and provide extended aftercare. Work with sex offenders is particularly relevant when the offender is very young (between 10 and 12 years) or the offending behaviour has only just started.

3.34 Good Practice: Re-education for Kerb Crawlers

The West Yorkshire Kerb Crawlers Re-education Programme is the first of its kind in the UK and is based on an approach started in the US. Instead of going to court kerb crawlers attend a one day educational programme on kerb crawling and its impact on the community. Attendees are guaranteed anonymity, however if they do not complete the day they will have to go to court.

The programme covers sessions addressing the realities of prostitution, sexual health, pimping, the effects on the community, the impact of prostitution on the family, and violence and masculinity. This innovative programme is a joint venture between the Research Centre on Violence, Abuse and Gender Relations, West Yorkshire Police, the probation services and other agencies. The programme began in November 1998 and a report on it will be available later in 1999. A similar programme has been operating in San Francisco in which only 4 out of 1400 participants have been caught re-offending, in comparison with 60% of those who went through the courts. Contact: Research Centre on Violence, Abuse and Gender Relations, Leeds Metropolitan University. Tel 0113 283 6710, Fax 0113 283 6709.

What the Government is adding

3.35 The National Sex Offender Treatment Programme runs in prisons throughout England and Wales and is the largest multi-site sex offender treatment programme in the world. The success of this programme is due, in part, to the constant internal and external monitoring of treatment through the process of accreditation, a system which is now being adopted by other countries. Probation services also offer a number of community sex offender treatment programmes which serve to continue/start work on offending behaviours, and the Probation Service is about to adopt the accreditation system.

Child contact

3.36 Even after separation, there are times when a woman can be at risk from her former abusive partner. A particular example is when giving a former partner contact with their children, often as required by a court order, when the partner may come to the victim's home to collect or hand back the children.

3.37 One solution is the use of child contact centres. These are neutral meeting places where children can meet and retain contact with one or both parents. Most offer supported services where several families attend and volunteers facilitate the session. Over the past ten years there has been an increased demand for supervised contact where one worker is assigned per family and conversations are monitored. There are only a few of these highly supervised centres as they entail further training and more costs.

3.38 *Good Practice:* The National Association of Child Contact Centres

The National Association of Child Contact Centres is a charity supporting over 250 centres throughout Great Britain. It encourages growth of new projects in areas of need, develops consistent standards, provides training, advice and support to individual centres and improves the recognition and support for the centres.

The Accord Child Contact Centre has qualified workers who support, observe or supervise contact sessions where there may be the following issues: child protection; mental health; domestic violence; drug and alcohol abuse; sibling contact; fostering and adoption; risk of abduction; severe conflict over contact arrangements; re-establishment of contact with long absent parent; and sporadic contact over a period of time.

Services offered include information and advice, adult counselling, child (therapeutic play) sessions, mediation/conflict resolution, stress management techniques, assertiveness training, parenting skills training, interpreting facility, parent/child interaction and play techniques. The Accord Centre provides supervised and support contact, as well as a hand-over service. Contact: Accord Centre, 292/294 Kilburn High Road, London, NW6 2DB, Tel 0171 604 4404/3883.

What the Government is adding

3.39 An inter-departmental group is looking at funding arrangements and provision of child contact centres. The group will pinpoint gaps in provision and develop a sustainable funding system for a broad network of centres. It will also consider ways to raise the awareness of the judiciary and other family law professionals about the relationship between domestic violence and children. The group has already identified the need for further research

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into the outcomes of child contact arrangements and the effects on children witnessing domestic violence.

Immigration rules for survivors of domestic violence

3.40 Under the One Year Rule, a person from abroad is granted 12 months' leave to enter or remain in the UK on the basis of their marriage to a person settled here. If the marriage breaks down within this period, the person is required to leave the UK unless they qualify to remain on another basis. This rule has its impact on women who experience domestic violence during the 12 month period - if they stay in the marriage they may face continuing violence and abuse; if they are required to return to their own country. Failure to do so may lead to deportation.

What the Government is adding

3.41 The Home Office will introduce a concession to the One Year Rule to allow applicants whose relationship breaks down during the probationary period as a result of domestic violence to apply for indefinite leave to remain in the United Kingdom. Qualification for the concession is likely to depend on the applicant producing one of the following forms of evidence that domestic violence has taken place:

- an injunction, non-molestation or other protection order made against the sponsor (other than an ex-parte or temporary order); or
- a relevant court conviction against the sponsor; or
- full details of a relevant police caution issued against the sponsor.

3.42 Where a prosecution is pending against the sponsor the applicant may be granted a further period of 6 months limited leave to remain, subject to the same conditions, until the outcome of the criminal prosecution is known. A monitoring system will be put in place to evaluate the number and category of people who benefit from the concession.

Criminal Injuries Compensation Scheme

3.43 The Criminal Injuries Compensation Scheme provides payment to victims of crimes of violence. Payment is based on a tariff of awards that group together injuries of comparable severity and allocates a financial value to them. Payments can be made to victims of rape, sexual assault, adult survivors of child abuse, and those who become pregnant or infected with sexually transmitted diseases as a result of sexual violence. Such payments help to alleviate the effects of the violence and aid the recovery process.

What the Government is adding

3.44 The Home Office issued a consultation document in March 1999 inviting comments on how the Criminal Injuries Compensation Scheme might be improved for the benefit of victims within the parameters of the current legislation and available financial provision. Many groups representing

DRAFT

women's interests were sent copies and invited to comment. The consultation period ended in mid-June. The Government is considering the responses carefully and will make recommendations to Parliament with a view to introducing any changes in late 1999/early 2000. Among other things, the consultation paper specifically invited comment on whether:

- awards for rape/child abuse should be increased;
- there should be specific awards for sexually transmitted diseases; and
- there should be increased payments for rape resulting in pregnancy.

Evaluation and review of legislation - the Government's commitments

3.45 There have been significant changes to the law in recent years, and our first priority is to test the new legislation and monitor its implementation. We have set up a number of formal reviews which need to report before we can consider whether further changes are necessary.

Sex Offences Review

3.46 We launched a comprehensive review of criminal law relating to sex offences in England and Wales in January 1999. Much of the law on sex offences dates from over one hundred years ago. Legislation needs to reflect today's knowledge about patterns of sexual abuse and to provide effective protection for individuals. The terms of reference of the Sex Offences Review are to review the sex offences in the common and statute law of England and Wales, and make recommendations that will:

- provide coherent and clear sex offences which protect individuals, especially children, from abuse and exploitation;
- enable abusers to be punished appropriately; and
- be fair and non-discriminatory in accordance with the European Convention on Human Rights and Human Rights Act.

3.47 The review will consider laws on rape and sexual assault, homosexual offences, offences of sexual exploitation and 'flashing'. It will also consider the definition of consent in sexual offences. The review will not consider decriminalising prostitution or pornography, reducing the age of consent below sixteen, or procedural or evidential issues.

3.48 A steering group of officials, lawyers and advisers led by the Home Office is conducting the review. An external reference group of individuals and organisations concerned with women's issues, children's charities, gay and lesbian groups, medical, ethical, legal and religious interests is advising them. Conferences and seminars will be held during 1999 to seek a wider range of views. These will help to develop proposals that will form the basis of a consultation paper to be issued towards the end of 1999.

Offences Against the Person Act

3.49 As there is no separate criminal offence of domestic violence in England and Wales, perpetrators are often charged under the Offences Against the Person Act 1861. In February 1998, the Home Office issued a consultation paper entitled *Violence: Reforming the Offences Against the Person Act 1861*. This outlined proposals on how the law on non-fatal offences against the person might be reformed based on the Law Commission's 1993 report "Offences Against the Person and General Principles".

3.50 The proposals aim to modernise, improve, clarify and rationalise the existing law. A new set of offences has been drafted to replace the existing offences of grievous and actual bodily harm and assault. The new offences proposed are: intentionally causing serious injury; recklessly causing serious injury; intentionally or recklessly causing injury; and assault.

Civil and Family Legislation

3.51 In October 1997 Part IV of the Family Law Act 1996 was introduced. This simplifies and strengthens the civil law on domestic violence. The Lord Chancellor's Department (LCD) is collecting statistics to assess how the Act is being used. Statistics collected in the first year indicate that approximately 19,000 non-molestation orders to prevent violence were made, and approximately 9,000 occupation orders dealing with occupation of the home. The court attached a power of arrest to almost 80% of non-molestation orders and to nearly 75% of occupation orders. These figures demonstrate that the strengthened powers of arrest under the Act are being used and that the courts are taking domestic violence seriously.

3.52 LCD is continuing to monitor the operation of the Family Law Act 1996 and is considering the need for qualitative research on particular aspects including the relationship between the use of Part IV and the civil provisions of the Protection from Harassment Act 1997.

Harassment and bullying

3.53 While sexual harassment is not specifically outlawed by UK legislation, acts committed in the workplace may constitute discrimination under the Sex Discrimination Act 1975. In these cases the employee has to prove that he or she has been treated less favourably because of their sex.

3.54 The Equal Opportunities Commission (EOC) has proposed a new Sex Equality Act providing specific protection against sexual harassment. The Government is giving consideration to this and sixty-one other EOC proposals for updating the Sex Discrimination and Equal Pay Acts.

Protection from Harassment Act 1997

3.55 The Protection from Harassment Act 1997 provides recourse to justice when harassment takes place outside the workplace. This Act created two

DRAFT

new offences: causing harassment and causing fear of violence. A restraining order is available which prohibits the offender from further specified acts. Provisional figures from the Home Office relating to the Protection from Harassment Act 1997 show that from January to June 1998, eight times as many men as women were cautioned and/or prosecuted for offences of harassment.

3.56 The Home Office is conducting a research study to assess the use and effectiveness of the Protection from Harassment Act. The study will analyse when the Act's provisions are used, look at the success of prosecutions, and assess how often and how successfully restraining orders are being used to prevent repeat offending. The results will be available later in 1999.

Sentencing

3.57 Sentencing is the responsibility of the courts. The maximum sentences for crimes of domestic violence depend on the substantive offences with which the assailant is charged and are the same as those which apply for other forms of violence. Within the limits set by Parliament, sentences are decided by the courts, taking into account all the circumstances of the offence and the offender.

3.58 The law treats sex offences very seriously. For instance, under the Crime (Sentences) Act 1997 those convicted for a second time of a serious violent or sexual offence are subject to an automatic life sentence. And the Crime and Disorder Act and Sex Offenders provides for post-release monitoring of serious sex offenders.

4. PREVENTION

4.1 Our long-term goal is to reduce crime by tackling its causes as well as its effects. We must make homes, workplaces, public transport and public spaces safer places for women. This means giving the *prevention* of violence against women the priority it deserves.

Raising awareness

Public attitude campaigns

4.2 It is a common misconception that violence within relationships is not a crime, or that the victim is in some way to blame for it. We need to challenge this in order to build a more respectful and responsible society. Public attitude campaigns can explain the impact of violence against women. They can involve a wide range of participants: local authorities, community safety partnerships, area child protection committees, domestic violence fora, the media, academics including criminologists, central government and people skilled in influencing community attitudes.

4.3 Good Practice: Zero Tolerance

Some of the best examples of public attitude campaigns are those which advocate 'zero tolerance'. These campaigns aim to change attitudes to violence against women. Many of the local inter-agency domestic violence fora which have been established in recent years base their approach on zero tolerance.

Edinburgh City Council launched the UK's first Zero Tolerance campaign in November 1992. Zero Tolerance (ZT) uses mass media to raise awareness of domestic violence, rape, and child sexual abuse. ZT's approach is based on prevention of crimes of violence against women, provision of quality services and appropriate and effective legal protection for women and children experiencing violence. There have been a number of evaluations of local campaigns. A critical factor in their success, is whether they are located in an effective multi-agency response from key agencies. *Contact: Zero Tolerance Charitable Trust, 25 Rutland Street, Edinburgh EH1 2AE* for a copy of their evaluation paper.

Chester Local Authority is one of over 50 across the UK supporting a ZT Campaign raising awareness about the extent and nature of violence against women and children and exploring why violence happens. Their ZT materials aim to dispel common myths such as 'stranger danger' by using domestic locations in their posters. They also convey the message that violence against women and children is a crime.

Chester is using a variety of media including widespread distribution of posters, advertising on buses, training, exhibitions and newspaper and

radio coverage. Contact Sue Parsonage or Jacqui Sinnott-Clark, Tel 01244 324324, Fax 01244 3224338.

What the Government is adding

4.4 We launched a new domestic violence awareness campaign, *Break the Chain*, in January 1999. This campaign aims to raise awareness that domestic violence is a crime and to inform survivors where they can get help and advice. Our first priority was to publish leaflets and supporting posters for people experiencing domestic violence²⁰. Future phases will target perpetrators of domestic violence, professionals who deal with survivors, and the community at large.

Education and awareness-raising in schools

4.5 The attitudes with which our children grow up are our investment in the future. Adolescence in particular is a crucial time to establish the foundations for the successful formation of healthy, non-violent relationships later in life. But it is far better not to wait until children reach adolescence to start teaching them about healthy relationships. Pilot projects based around anti-bullying are being set up to work with children as young as five years old.

The attitudes of boys and young men

4.6 A 1998 survey by the Zero Tolerance Charitable Trust on young people's attitudes towards violence against women showed that young men had a worryingly high acceptance of sexual violence:

- one in six young men thought they might force sex on a woman if she were his wife;
- one in eight young men thought that they might force a long-term girlfriend to have sex with them;
- one in ten young men thought they might force a woman to have sex if they were 'so turned on' that they 'could not stop'; and
- other circumstances in which they thought they might force a woman included if 'nobody would find out' (9%), if they had 'spent a lot of money on her' (6%) or if she had 'slept with loads of men' (6%).

4.7 Schools can provide the means for helping children develop healthy relationships as adults. Through the formal curriculum, the school ethos, and wider activities within their local communities, schools can help to raise awareness, promote tolerance, and equip their pupils with the knowledge, skills and attitudes needed to resolve differences peacefully. The statutory and voluntary youth services have a role too, through less formal channels. And participation in sport can also improve young people's self-esteem.

²⁰ Leaflets and posters can be ordered from the Home Office, Tel 0171 273 4145, Fax 0171 273 2568. Bi-lingual English/ Welsh versions can be obtained at the National Assembly for Wales from Richard Parry, Tel 01222 825569 or email Richard.Parry@wales.gov.uk

4.8 Good Practice: Resource packs for schools

Hands Off is a resource pack for teachers and youth workers to facilitate workshops with 11-14 year olds on gender issues, bullying and domestic violence. The material was developed by Welsh Women's Aid and Save the Children, for Personal, Social and Health Education (PSHE) and is suitable for cross-curricular modules. The search for an equal and non-violent community is the key element of the pack, which is also available in Welsh. *Contact: National Childwork Co-ordinator, Welsh Women's Aid Tel 01745 334 767.*

Respect is a pack of curriculum materials for use in secondary schools for 14-16 year olds promoting non-violence and positive relationships, with modules on domestic violence, rape and sexual assault, gender relations and anti-bullying. Gender relations are explored as a central component as studies show that men commit the majority of violent and sexual crimes. *Respect* challenges attitudes that lead to violence and engages young people in defining ways to non-violent relationships. *Contact: Rachel Morley, Community Psychology Department, St Leonard's Hospital, Tel 0171 301 3456 or 301 3311.*

The Sheffield Centre for HIV and Sexual Health has developed a resource and training pack called *Girlpower - how far does it go?* This pack is for teachers, youth workers and parents, and offers practical ways of developing self-worth as well as assertiveness and communication within sexual relationships. *Contact: Sheffield Centre for HIV & Sexual Health, 22 Collegiate Crescent, Sheffield S10 2BA, Tel 0114 267 8806.*

The Sex Education Forum produced a similar resource about sex and relationships' education for boys and young men called *Let's hear it for the boys!* This offers a rationale for focusing on boys' needs and presents general starting principles for supporting sex and relationships education. *Contact: Sex Education Forum, c/o National Children's Bureau, 8 Wakley Street, London EC1V 7QE, Tel 0171 843 6000.*

What the Government is adding

4.9 Personal, Social and Health Education (PSHE) provides the opportunity to give young people behavioural and relationship education in schools. This can benefit many aspects of their lives, including confirmation of the unacceptability of violence within relationships. DfEE set up a PSHE Advisory Group in May 1998, which has developed proposals for a national framework for PSHE in schools as part of the wider review of the National Curriculum.

4.10 PSHE addresses sex education and relationship studies, encouraging self-respect, empathy, respect for others, and non-violent conflict resolution.

DRAFT

PSHE helps to develop communication and negotiation skills in a range of contexts including citizenship and human rights education.

4.11 The revised National Curriculum, which includes proposals for new modules on citizenship and PSHE, was published for public consultation in May 1999. The proposed framework for citizenship education emphasises social and moral responsibility, community involvement, and political literacy. Its aim is for children to learn self-confidence as well as socially and morally responsible behaviour both in and beyond the classroom, both towards those in authority and towards each other.

4.12 The consultation period ends on 23 July 1999 and the final version of the National Curriculum, citizenship and PSHE will be published in Autumn 1999.

Community education and awareness projects

4.13 There are many opportunities to reach young people, and the broader community through television and the arts. These can have more impact in conveying messages than traditional school education and can complement in-school activity.

4.14 *Good Practice:* Action in schools

The Local Education Authority in Coventry is undertaking awareness-raising among teachers on domestic violence through sessions with primary and secondary school teachers. Contact: National Health Education Liaison Group, Health Education Co-ordinator, Elm Bank Teachers Centre, Mile Lane, Coventry.

4.15 *Good Practice:* Theatre workshops

***Behind Closed Doors* is a theatre-in-education workshop for young people over the age of 14. The workshop is accompanied by a comprehensive teacher's pack, including a series of follow-on lessons and group work. Theatre ADAD presents the workshop in schools and in youth offenders' institutions. It aims to challenge attitudes and expectations of relationships through theatre-in-education.**

The Thames Valley Partnership, a charity set up to reduce crime and encourage community safety, developed the workshop. The Partnership has staff from the police, probation service, social services and DfEE. It has received funding from corporations including Barclays, Equitable Life and Marks and Spencer. Contact: Thames Valley Partnership, Tel 01844 212274, Fax 01844 21314.

4.16 *Good Practice:* Raising Awareness in Rural Areas

In a rural area *Cotswold Victim Support*, in partnership with BBC Radio Gloucestershire, has produced two programmes on rural domestic

violence and interviewed the police domestic violence unit, a disabled rural victim and a victim support volunteer. To promote the service they display posters in libraries, church notice boards, in village halls and shops and advertise in parish magazines and free local papers. Stickers in ladies' toilets throughout the Cotswolds publicise contact numbers for women experiencing violence. Volunteers travel many miles to visit and support rural victims of violence and provide transport when required to solicitors or to court. *Contact: Cotswold Victim Support, Tel 01285 658 350.*

The media

4.17 The prevalence of media images and publicity about violence is a big factor in our attitudes to violence. Responsibility for what is broadcast on television and radio rests with the broadcasters and with the broadcasting regulatory bodies - the Governors of the BBC, the Independent Television Commission (ITC), the Welsh Fourth Channel Authority (S4C) and the Radio Authority. They are independent of Government and accountable for safeguarding the public interest in broadcasting.

4.18 All regulatory bodies have programming codes of practice covering the portrayal of violence on television. The ITC and Radio Authority monitor compliance with their codes. The BBC issued guidelines to its producers in November 1996 which had specific advice on the portrayal of women and the use of non-sexist language in programmes.

4.19 The development of the Internet poses a significant and similar challenge in this area but the UK obscenity legislation – and the law generally – applies to the Internet as it does elsewhere. The legal framework therefore underpins the work of the Internet Watch Foundation (IWF), a self-regulatory body established in September 1996 by Internet Service Providers, with the support of the Government, in response to growing concern about the availability of offensive material on the Internet.

4.20 *Good Practice*: Television programming on violence against women

Television soaps can be an effective way of raising awareness of social issues. Channel 4's *Brookside* has had a number of stories on violence against women in recent times. In 1998 domestic violence was covered and in 1999 a character was involved in a date rape involving the use of Rohypnol. Both *Coronation Street* and *Eastenders* have covered domestic violence.

What the Government is adding

4.21 The Broadcasting Standards Commission's report *Violence and the Viewer* recommended that the Government should take the lead in developing a media education initiative on violence. The Department for Culture, Media and Sport is responsible for this initiative to counter the

negative impacts of viewing violence in the media, including violence against women.

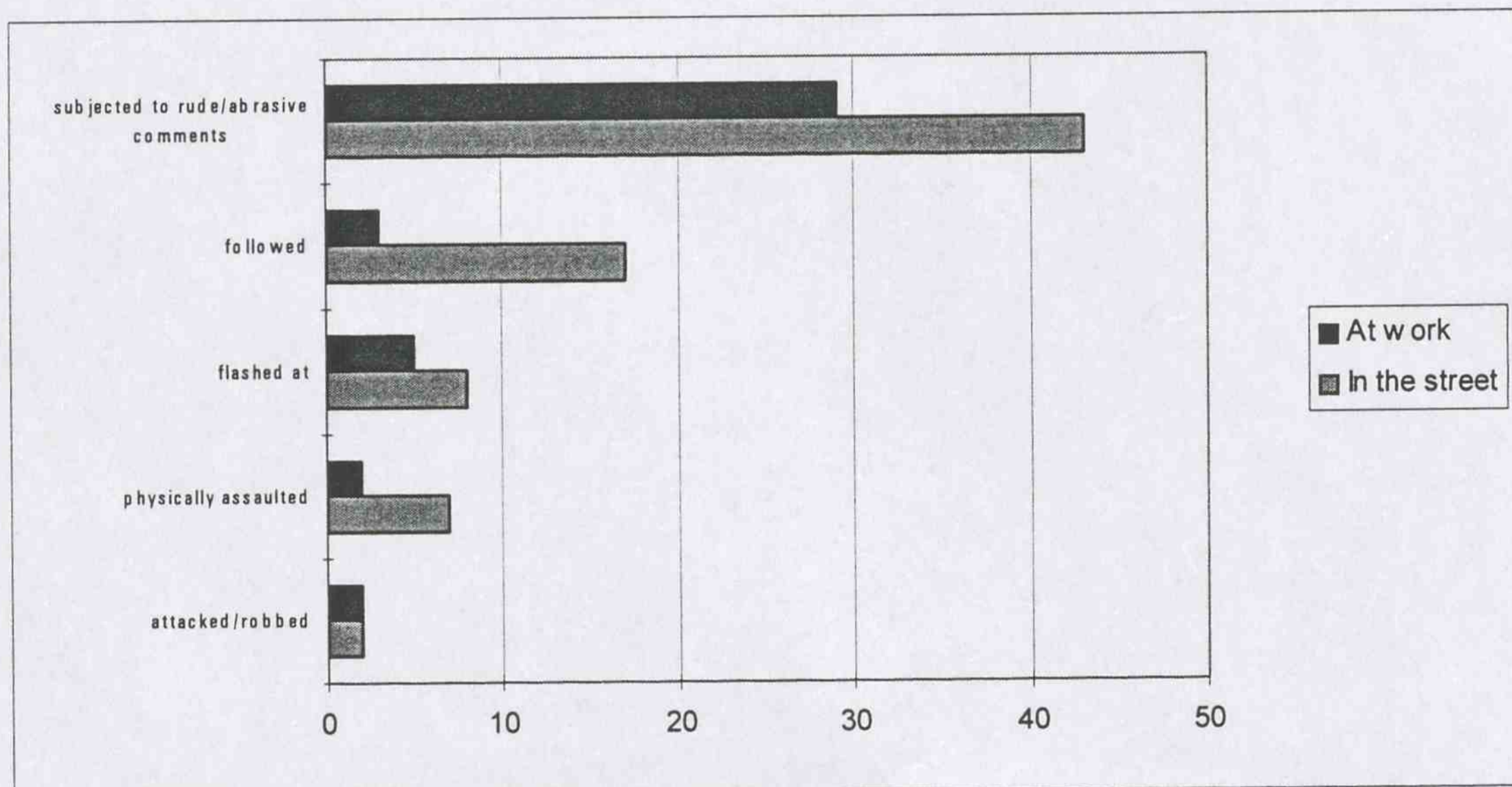
4.22 We are maintaining domestic controls on obscene and pornographic material. The main legal control is the Obscene Publications Act 1959, which makes it a criminal offence to publish any article considered to be obscene. The Act covers all published and broadcast material, including material published via the Internet.

4.23 The Government is monitoring the success of the IWF and a review of its work is due to report in 1999.

Creating Safer Communities

4.24 Despite relatively low levels of recorded crime, fear of being on the streets at night is high for women, particularly for elderly women - nearly a third of whom feel very unsafe on the streets at night, or would do so if they went out²¹. Safer communities would enable women to have full and equal access to public places and more opportunity to participate in public life including leisure activities and adult education.

Harassment and intimidation of women at work or in the street²²



Urban and rural regeneration

4.25 Our urban renewal programme, including many ambitious town centre revitalisation projects, will play a significant part in reducing crime and the fear of crime. Consultations with women and women's groups play an increasingly important role in urban design and renewal projects. And there

²¹ British Crime Survey (1996).

²² Henderson, S. (1997) *Hidden Figures: The Edinburgh Women's Safety Survey*. Cited in the ESRC Violence Research Programme, *Taking Stock: What do we know about Violence?* (1998)

DRAFT

are plans for more effective consultation with local and community groups - in which there are many women participants - during the preparation of land use plans.

4.26 Good Practice: Wolverhampton Town Centre

Wolverhampton Town Centre has been converted from a high-crime centre which used to be virtually deserted at night, into a pleasant and safe environment with a thriving night-life. The combination of customer care initiatives and a range of crime prevention elements all form part of a strategic approach to reduce crime and create a "feel safe" factor.

Measures taken include using CCTV, better lighting and a Retail Radio Link allowing various control centres to provide an effective communication system. By working in partnership with the police, local authority, retailers and bus operators, environmental schemes have been introduced which include pedestrianisation, re-paving, lighting improvements, and new street furniture. A late night bus service with trained door-men on board gets people safely home from clubs. *Contact: Town Centre Manager, Civic Centre, Wolverhampton, WV1 1RP, Tel 01902 556556.*

Crime Concern's Perspectives on Prevention is a guide which provides a broader knowledge and awareness of the latest developments in community safety and includes over 30 case studies. It covers the areas of: women's safety, passenger safety, work in high crime neighbourhoods, town and city centres, drug misuse, youth crime, and racial harassment. *Available from: Crime Concern, Beaver House, 147-150 Victoria Road, Swindon, Tel 01793 863 500, Fax 01793 514 654.*

What the Government is adding

4.27 The Government is keen to involve women more at all stages of the planning process. DETR is preparing an Urban White Paper to be published in 1999. It will set out a vision for our cities and towns, and explain how we are pursuing policies which will improve the quality of life for those who live in them. We aim to have cities which are competitive, sustainable, socially cohesive, and offer attractive living environments. Reducing crime and the fear of crime will be important considerations in achieving this.

4.28 Rural areas suffer many of the crime and disorder problems found in urban areas, but also have specific problems compounded by remoteness, including low levels of public transport. DETR has issued a discussion document inviting views on the issues concerned with community safety in rural areas and will publish a Rural White Paper later in 1999.

4.29 New Planning Policy Guidance on Regional Planning issued by DETR highlights the need to consider the potential impacts of different strategic

DRAFT

planning options on different groups. These include important issues such as major transport investment and the location of new housing development and public services. We are taking steps to ensure effective public consultation around these decisions, including with women and women's groups.

4.30 The same process will extend to the local level, since DETR has issued new Guidance on Development Plans which says that local planning authorities should consider the relationship of planning policies and proposals to social needs and problems. This will include their likely impact on women, ethnic minorities, religious groups, elderly and disabled people, single parent families, students and disadvantaged people living in deprived areas. Local authorities are asked to consider the extent to which they can address issues of social exclusion through land use planning policies.

4.31 The Home Office's guide, *Community Crime Reduction Partnerships - the Retail Contribution*, provides practical information for those whose job it is to deliver community safety in town, city and shopping centres. The components of such town centre partnerships – CCTV, radio links and exclusion order schemes – have strong links with other community safety issues such as safe and secure car parks and street lighting.

Safer public transport

4.32 The reduction of crime, and the fear of crime, is a major priority if public transport is to meet people's needs. We are developing an integrated approach to transport. At the heart of this is concern for the user, with safety and meeting the needs of users our top priorities. Many women are nervous about travelling, especially when alone and at night.

4.33 The Women's Transport Network, convened by DETR, is working to promote transport systems and pedestrian environments that are safe and accessible for all. The Network aims to secure wider understanding of women's specific transport needs and to accommodate them in the design and provision of transport and pedestrian environments.

4.34 Good Practice: London's first accreditation under the Secure Stations Scheme

Connex Rail's Hither Green Station became London's first officially secure station in December 1998. In partnership with Lewisham Council and the British Transport Police, Connex Rail refurbished and upgraded the station to meet the criteria of DETR's national Secure Stations Scheme. Closed circuit television surveillance cameras, new customer information screens and signage have been installed as well as security mirrors to eliminate "blind spots". Lighting has been upgraded both in the station and in the nearby pedestrian subway to enhance safety and visibility. **Contact: Media Relations Manager, Tel 0171 620 5080.**

What the Government is adding

DRAFT

4.35 In 1998 DETR launched the Secure Stations Scheme to improve security at overground and underground stations for both passengers and staff. It has established national best practice on security standards and will accredit stations that have implemented a package of satisfactory security measures.

4.36 In 1998 DETR also reissued *Personal Security on Public Transport – guidelines for operators*. The guidelines include physical design measures such as surveillance, lighting and landscaping, as well as management practices which give priority to preventing crime and providing a reassuring environment.

4.37 In May 1999 DETR has published *Personal Security Issues in Pedestrian Journeys* which identifies pedestrian concerns for personal security and illustrates best practice. The report underlines the importance of local authorities, the police, transport operators and others working together to implement a package of measures to improve experiences and perceptions of the pedestrian environment.

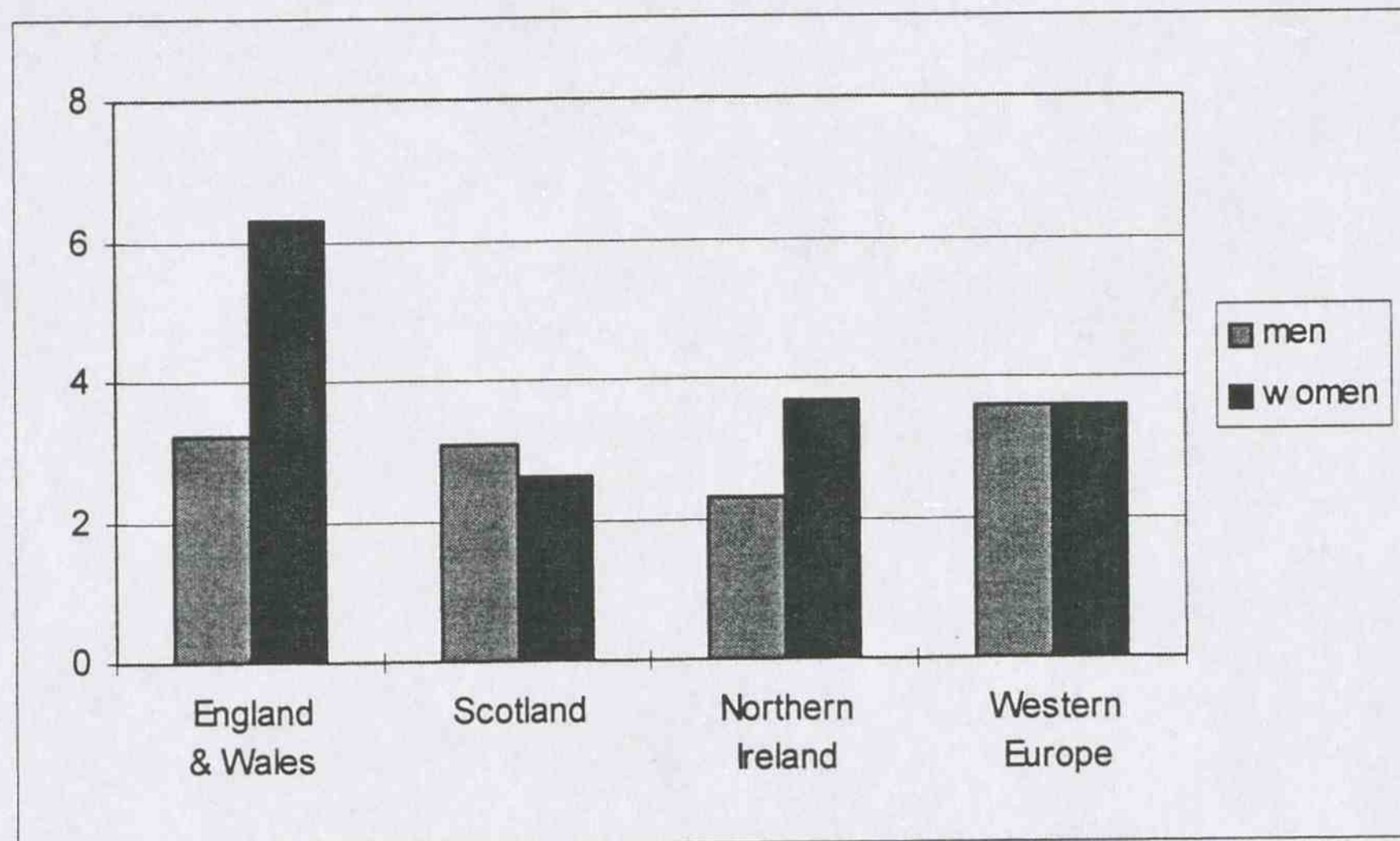
Safety for women in the workplace

4.38 The Trades Union Congress (TUC) report *Violent Times* (January 1999) concluded that one in five workers are subject to a violent attack at work every year. Their earlier report *No more 'Men only' health and safety* (November 1998) revealed that women's concerns about health and safety at work were not being addressed sufficiently.

4.39 As well as the immediate physical effects, violence can have long-term impacts such as causing stress and depression. Three of the four occupations with the highest risk of physical or verbal attack - nursing, care workers and those working in education and welfare - are all professions where women are in the majority²³

²³ Trades Union Congress (1999) *Violent Times*.

Percentage of prevalence of physical assault in the workplace²⁴



4.40 Good Practice: Brighton Health Care NHS Trust

Brighton Health Care NHS Trust has taken a number of steps to counter violence as the level of reported incidents has increased. These measures include:

- guidelines for front-line staff on coping with verbal aggression, handling violent in-patients and what they can and can't do in terms of restraint;
- encouraging the prosecution of assailants;
- ensuring that a risk assessment is carried out for each department;
- investing heavily in preventative measures, particularly in an extensive CCTV system;
- making increasing use of security staff.

The Trust is evaluating these measures over the long-term. **Contact: Security and Risk Manager, Tel 01273 696955 ext 4072.**

What the Government is adding

4.41 Employers have a duty under the Health and Safety at Work Act 1974 to ensure, so far as is reasonably practicable, the health, safety and welfare at work of their employees. The *Management of Health and Safety at Work Regulations 1992* require employers to assess the risks of violence to employees and make arrangements for their health and safety by effective planning, organisation and control.

4.42 Our target is to reduce violent incidents in the NHS by 20% by 2001 and 30% by 2003. We have initiated a cross-Government drive, supported by the

²⁴ Chappell, D. & Di Martino, V. (1998) *Violence at Work*, Geneva: International Labour Office. Cited in the ESRC Violence Research Programme, *Taking Stock: What do we know about Violence?* (1998)

DRAFT

Department of Health, Lord Chancellor's Department, and the Home Office on violence against NHS staff. We will issue national guidelines for action encompassing publicity, prevention and prosecution.

4.43 In September 1997 the Health and Safety Executive (HSE) published a *Review of Workplace-Related Violence*. Its key recommendations were:

- to increase understanding of the magnitude and trends of workplace-related violence by improving the baseline and trend data; and
- that work place violence in Small and Medium-Sized Enterprises (SMEs) may best be dealt with on a community, rather than a sector specific, basis.

4.44 HSE has commissioned research from the Home Office to address the first of these recommendations. Data from the British Crime Survey will be analysed in order to find out the extent and nature of violence at work. This will be completed by September 1999. HSE is also carrying out a review of the health and safety risks, including the risks of violence at work, to mobile workers such as community nurses and social workers. This will be completed by the summer of 1999.

4.45 To address the second of these recommendations, HSE has commissioned research to find examples of good practice on preventing work-related violence in Small and Medium-Sized Enterprises. This research will be published as case studies in mid-2000.

4.46 *Good Practice: Awareness-raising of personal safety and prevention of violence*

The Suzy Lamplugh Trust is a national charity for personal safety which provides personal, practical safety advice for everyone, everywhere, every day. The Trust's Advice Service provides general advice and distributes 100,000 leaflets a year. It communicates at the grass roots level and is in direct touch with the problems of personal safety.

The work of the Trust includes:

- a major research project to identify the extent and management of bullying in the workplace and to explore ways in which employees can prevent being bullied;
- workplace training in personal safety through a nation-wide network of 600 tutors and trainers; and
- representation on HSE's committee on violence to staff, through which the Trust disseminates their experience and presses for action and increased priority to be given to the safety of employees.

Contact: Suzy Lamplugh Trust, 14 East Sheen Avenue, London, SW14 8AS, Tel 0181 392 1839.

The London Centre for Personal Safety (LCPS) promotes personal and community safety training and advice primarily to women to:

- reduce fear of crime and interpersonal violence;

- promote skills to increase individual self-confidence in the ability to manage a safer life; and
- encourage people to participate actively in local community safety action.

LCPS is currently funded by the Kings Cross Partnership's Women's Safety Programme. Underlying the training provided by the Centre is the belief that survivors are never responsible for the violence that they experience. However, appropriate personal safety programmes can result in a marked increase in self-esteem and confidence.

All courses are evaluated through participant feedback and individually tailored to meet the needs of the specific client group. The Centre runs specialist courses for particular groups of women such as older women, women experiencing domestic violence, lesbians, young women, women in the sex industry and disabled women. The Centre has also worked in schools on anti-violence and anti-bullying projects. *Contact: The London Centre for Personal Safety, 42b Rylett Crescent, London, W12 9RH.*

Sexual harassment in the workplace

4.47 Surveys undertaken by trade unions show that sexual harassment and bullying is a significant problem in the workplace. The effects can be devastating and can lead to loss of self-confidence and self-esteem, illness, job insecurity and high levels of stress. The implications for employers can include low morale, absenteeism, poor quality work, resignations and high-profile legal cases.

4.48 Many employers have recognised the serious implications of these offences and are taking positive action by introducing policies to combat all forms of harassment, including disability and racial discrimination. Most policies contain definitions or examples of harassment, a policy statement, advice on informal routes employees can take, and details on the formal route which can be taken.

4.49 Good Practice: Harassment advisors at work

DSS Headquarters has a network of harassment advisors supervised by a trained psychotherapist with extensive experience of working in this area in other organisations. The psychotherapist is independent of the Department, ensuring complete confidentiality. The role includes facilitation of training courses and provision of ongoing support for the twenty-five advisors.

The advisors cover all forms of harassment and have the assistance of in-house focus groups on disability, carers and ethnic minorities. The service is widely advertised and is seen as particularly important for women in terms of improving their progression to senior management levels. *Contact: DSS 0171 962 8117*

The impact of domestic violence in the workplace

4.50 A woman experiencing domestic violence is likely to find it difficult to do her job well. She may be distracted by threatening phone calls, be harassed at or travelling to and from work, absent because of injuries or less productive because of stress. While employers may choose not to become involved in their employees' private lives they can provide a safe and supportive working environment. Moreover, workplaces can be an ideal place for a woman facing domestic violence to get help – not least because she spends up to eight hours a day there, away from her abuser.

4.51 *Good Practice*: Domestic abuse as a workplace issue

In 1998 UNISON (Southern Region) launched a campaign to raise awareness of the importance of domestic abuse as a workplace issue and urged UNISON members and employers to establish policies against domestic abuse. The campaign ADA (Against Domestic Abuse) provides an information pack which includes a Model Domestic Abuse Policy, lapel stickers, contact numbers of outside agencies and a booklet *Violence in the Home*. Contact: Regional Women's Officer, UNISON, Tel 0118 959 6466.

Portsmouth Health Care NHS Trust, has worked with Unison to build on the success of Unison's campaign. In February 1999 a seminar took place and speakers from the Police Service, Victim Support and Unison gave presentations to managers and staff representatives. Work groups then identified a way forward for the Trust to raise awareness in the workplace and help managers to address domestic abuse, and signal to staff that they have the support of the Trust and colleagues. The policy includes a Statement of Intent from the Trust and a practical help pack for managers. It is intended to launch the policy in June 1999. Contact: Joint Negotiating Committee, Portsmouth Health Care Trust, Tel 01705 734175.

5. GUIDANCE AND TRAINING

5.1 The Government regularly issues guidance to professionals and service providers, and we have a duty to ensure that our objectives are conveyed through practical and effective guidance. We will also encourage organisations to work together to provide that crucial co-ordinated response; including through their own guidance.

Guidance

5.2 A wide range of organisations - central Government, local authorities, police, health services, community safety partnerships, educational establishments, employers, probation services, the legal profession and appropriate voluntary organisations - issue guidance on how to approach and help women experiencing violence. But the guidance is often prepared by different professions in isolation from each other. It needs to be integrated, linked specifically to training and how professionals treat women.

5.3 In particular, all agencies should consider how they will:

- train new and existing staff to provide an appropriate and sensitive service;
- ensure staff training is periodically refreshed and updated;
- identify women who may be seeking services as a result of violence;
- ensure that women are aware of the help and support available;
- encourage women to come forward;
- ensure that the service is accessible to all women who need it, and that barriers such as language and disability are overcome;
- ensure women's safety;
- maintain confidentiality;
- establish appropriate recording systems; and
- evaluate and review performance including complaints.

5.4 *Good practice*: Guidance on domestic violence

Islington Council produced a Good Practice Guide setting out a council-wide standard approach and detailed guidance for those working in housing, social services, education and other relevant departments. The Council-wide approach includes believing the woman, ensuring her safety, confidentiality, anti-discriminatory practice, and the right to choose to see a woman member of staff. Contact: Domestic Violence Co-ordinator, Islington Women's Equality Unit, Town Hall, Upper Street, London, N1 2UD, Tel 0171 477 3137.

The British Medical Association's *Domestic Violence: a health care issue?* discusses the role of health care professionals in identifying and dealing with domestic violence concentrating on primary health care response and the role of nurses, midwives, psychiatrists, obstetricians, gynaecologists and accident and emergency teams. An overview of the

legal situation is included as well as the impact of domestic violence on children. Contact: British Medical Association, Tel 0171 387 4499.

What the Government is adding

5.5 As part of the *Break the Chain* campaign, there will be new inter-agency guidance, issued by the Home Office, for all those dealing with domestic violence. This will promote inter-agency working and provide specific guidance on how individual agencies can best work together. The Home Office is also planning to reissue its circular to police forces on domestic violence. The Crown Prosecution Service is reviewing its policy on domestic violence and will reissue it in December 1999.

5.6 HM Inspectorate of Probation is preparing a training manual and guide for probation officers responding to domestic violence.

5.7 The Department of Health is synthesising existing professional guidelines produced at national and local level, to help health professionals recognise and deal appropriately with victims of domestic violence. This will be available later in 1999.

Guidance on Sexual Harassment

5.8 The Advisory, Conciliation and Arbitration Service (ACAS) advisory handbook *Discipline at Work* includes the ACAS Code of Practice *Disciplinary Practice and Procedures in Employment*. This provides advice on good practice in disciplinary matters, which is taken into account in relevant cases appearing before the Employment Tribunal.

5.9 ACAS is working on further guidance for employers and employees in the area of bullying and harassment. Subject to the approval of ACAS Council, they hope to publish two leaflets. *Contact: the local phone enquiry number can be found in the phone book under ACAS.*

5.10 The Equal Opportunities Commission (EOC) has produced *Sexual Harassment at work - consider the cost* which describes the steps that employers, trade unions and employees can take to deal with the problem. EOC also produces a series of leaflets on sexual harassment entitled *Sex Equality and Sexual Harassment, Case Decisions, How to bring a claim and What the law says*. These leaflets are available from the EOC. *Contact: Equal Opportunities Commission, Overseas House, Quay Street, Manchester, M3 3AN, Tel 0161 833 9244.*

Guidance on Protection of Vulnerable Adults

5.11 Certain groups of women are particularly vulnerable to physical, sexual or psychological abuse. They may have learning disabilities, mental health problems, drug or alcohol problems, or be older women who are frail or disabled.

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5.12 The health and social care agencies that provide services for vulnerable adults, whether in the private, public or voluntary sector, have a responsibility to care for people who are vulnerable or may be at risk. This responsibility originates in the National Assistance Act 1948. The statutory agencies need to ensure that they have appropriate and consistent policies and practices in place and, most importantly, that they are implemented and monitored.

What the Government is adding

5.13 The Department of Health is producing new guidance on a multi-agency approach to the protection of vulnerable adults, based on collaboration with a wide range of statutory and voluntary organisations. Before being issued it will be published as a consultation paper in the summer of 1999.

Guidance on Female Genital Mutilation

5.14 Female genital mutilation (FGM) is illegal in the UK, but we know it continues to be practised within some ethnic groups²⁵. Our goal is eradication, and we believe education is key. Collaborations between community groups and leaders, health, social and education services, as well as the police, are vital if women and girls are to get the support they need.

5.15 Good Practice: Education initiatives on FGM

The Foundation for Women's Health Research and Development (FORWARD), the key non-governmental organisation working on FGM in this country, is working closely with the Department of Health. Some of the education initiatives are:

- **identification of key elements of a best practice model to co-ordinate local authority, health, education, social services and child protection activities in the area of FGM prevention;**
- **production of a health education pack for health professionals working in local health, education, social services, child protection and police authorities;**
- **production of a training video on the prevention of FGM for policy makers, practitioners and specialists in the areas of community health development and child protection; and**
- **appointment of a Community Development/Training Officer to liaise with the communities to produce health and education literature in relevant languages, and a training pack for health and education professionals.**

Contact: FORWARD, 40 Eastbourne Terrace, London W12 3QR, Tel 0171 725 2606.

²⁵ FGM is practised in 28 African countries, as well as by some ethnic groups in the Arabian Peninsula, the Persian Gulf and Southwest Asia. It is usually performed on young girls between the ages of 4-10 years and is sometimes performed at the time of marriage or of the first pregnancy. The psychological and physical problems associated with FGM often carry on into adulthood.

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What the Government is adding

5.16 The Department of Health supports FORWARD in its effort to tackle the problem of FGM in this country. The Department has provided FORWARD with core grant funding to help meet their running costs as well as project grants and secondee staff.

5.17 The Prohibition of Female Circumcision Act 1985 makes the performance of FGM illegal in Britain. Protection is provided to girls who are at risk here, and of having FGM performed abroad, under the Children Act 1989.

5.18 Good practice: Specialist Well Woman Clinics

Specialist African Well Woman Clinics have been established by Central Middlesex Hospital NHS Trust, and Guy's and St Thomas' Hospital Trust. Part of the Middlesex project involves the training of primary and secondary health professionals. These are the first centres established in Western Europe for education and teaching on FGM. Contact African Well Woman Clinic, Central Middlesex Hospital, Tel 0181 453 2104.

What the Government is adding

5.19 The Department of Health has issued guidance on dealing with FGM under the Children Act 1989. In particular the guidance draws attention to the power under the Children Act 1989 to attach a Prohibited Steps Order which prevents parents from taking their child out of the country if it is believed that they are taking the child abroad for the purposes of FGM. This was addressed to local authorities, health authorities, the police, the probation service, educational establishments, doctors and voluntary child care organisations.

Training

5.20 Training needs to be properly planned and evaluated. It should:

- increase understanding of violence against women, its nature, scale and impact;
- assist service providers in identifying violence against women;
- provide participants with skills and knowledge about preventative approaches, early intervention and reducing the long-term impacts of violence;
- cover relevant legislation and link to guidance/policy, where it exists; and
- go beyond raising awareness to identifying desired service responses.

5.21 All training should specifically address issues of race, disability and sexual orientation and should encourage non-discriminatory practice. Training should also make practitioners aware that drug and alcohol misuse can contribute in indirect ways to increasing the likelihood of violence. For training to be effective it needs to be carried out by people with the

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appropriate skills. Some organisations have found it beneficial, at least initially, to bring in outside trainers with specialist knowledge.

Violence against women training

5.22 *Good practice:* training programmes

The Child & Woman Abuse Studies Unit offers training on specific forms of violence against women and on the links between different forms. *Contact: CWASU, University of North London, Highbury Grove, London, N5, Tel 0171 753 5037.*

Welsh Women's Aid has a bilingual training pack on domestic violence and provides training to a range of agencies. *Contact: Welsh Women's Aid, 4 Pound Place, Aberystwyth, Dyfed, SY23 1LX.*

WAFE runs a national training programme on domestic violence covering domestic violence awareness and service provision, as well as training and seminars on legislation and policy. The programme is reviewed, developed and externally evaluated on an annual basis. *Contact: WAFE, Training Section, PO Box 391, Bristol BS99 7WS, Tel 0117 942 1396*

Greenwich Council runs Training the Trainers courses with staff from both in and outside the council, including from voluntary agencies. These trainers then develop multi-agency training courses, organised by Greenwich Multi-Agency Domestic Violence Forum. Over 90 participants, from over 30 agencies, were recently trained in a 12 month period. *Contact: Women's Equality Officer/domestic violence issues. Tel 0181 317 5496.*

5.23 *Good Practice:* Multi-agency approaches

The London Borough of Camden, Camden & Islington Health Authority, Camden Multi-agency Domestic Violence Forum and the London School of Hygiene and Tropical Medicine have set up a local health partnership on domestic violence. This partnership has developed a pilot project to test the use of domestic violence guidelines and training for health professionals in England. The three-year project will train staff in Obstetrics and Gynaecology, Accident and Emergency, and in the primary health care sector. Trained staff routinely ask all women, in the absence of their partner, about domestic violence and provide advice and information on local services.

Training packs for those within the health service can be purchased from Camden Council Equalities Unit. This unit also has a report of the National Seminar on the Response of Health Professionals to Domestic Violence held in Autumn 1998. This includes nationwide activities on

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health and domestic violence. **Contact: Judy Watson, Equalities Unit, Camden Council, Town Hall, Judd Street, London WC1H 9JE, Tel 0171 413 6014.**

5.24 Good practice: Specialist training for Barristers, Police & Solicitors

With falling conviction rates for rape and sexual assault it is clearly not enough simply to protect vulnerable witnesses in court. As another part of the solution, Leeds Metropolitan University and Yorkshire CPS have developed specialist training for barristers, police and solicitors aimed at improving the effectiveness of sexual offence prosecutions. The training is being piloted in West Yorkshire with a view to extending it nationally if the evaluation results are positive. **Contact: Research Centre on Violence, Abuse and Gender Relations, Leeds Metropolitan University, Tel 0113 283 6710, Fax 0113 283 6709.**

What the Government is adding

5.25 To increase the reporting rate of sexual crimes against people with disabilities, *Speaking up for Justice* recommended that professionals and carers be trained to be better able to recognise acts that may be criminal. Guidelines will be developed to encourage the reporting of abusive incidents to the police.

5.26 Under the Crime Reduction Programme, projects will be designed to address the attrition rate and the need for more specialist training in rape and sexual assault cases. Options include training police officers in responding to rape and sexual assault, utilising specialist officers, and allowing victims to give police statements at integrated sexual assault centres with a support person present.

Meeting children's needs

5.27 The Department of Health commissioned a consortium of practitioners, trainers and researchers from the NSPCC, Barnardos and the University of Bristol School for Policy Studies to develop a training resource pack and reader for frontline staff dealing with domestic violence in families, particularly the impact on children. The pack, *Making an Impact: Children and Domestic Violence*, was developed in association with Women's Aid and is available from *NSPCC Training, 3 Gilmour Close, Beaumont Leys, Leicester, LE4 1EZ, Tel 0116 234 0195 or NSPCC, Cymru, National Centre, 9 Brindley Road, Cardiff CF1 7TX, Tel 01222 397 146.*

Training for the judiciary

5.28 The Judicial Studies Board (JSB), which is funded by the Lord Chancellor's Department, trains judges in all jurisdictions and offers training about violence against women in the areas listed below:

Part IV of the Family Law Act

5.29 Part IV of the Family Law Act is concerned with domestic violence and the granting of occupation and non-molestation orders. The JSB has developed seminars on this for District Judges who sit in County Courts. Awareness of violence against women is central to the way this jurisdiction is exercised and features strongly in the judge's training. JSB's induction and refresher courses for judges specialising in family law cover domestic violence.

Private Family Law

5.30 Domestic violence is often the backdrop to divorce proceedings in which the future care of children are at stake. All Circuit Judges who hear these cases attend continuation seminars in private family law every three years. In these seminars, one module deals with domestic violence in the context of child contact arrangements.

Serious sexual offences

5.31 All judges authorised by the Lord Chief Justice to hear cases of rape and other serious sexual assaults are required to attend a seminar on Serious Sexual Offences. The syllabus is currently being developed to deal explicitly with all issues surrounding sexual violence against women. Judges, academics and those concerned in treatment of offenders will deliver the training.

Non-sexual criminal assaults

5.32 All Crown Court judges are required to attend continuation seminars once every three years. Seminars include sessions on the court's treatment of all victims of crime with a current focus on "Speaking up for Justice". The JSB's Criminal Committee is considering how to introduce training on the circumstances that typically surround violence against women, particularly in the domestic context. They already use cases featuring such circumstances in the sentencing exercises at the Seminars.

Equal Treatment Advisory Committee

5.33 The JSB's Equal Treatment Advisory Committee (ETAC) is considering how the judiciary can be assisted to understand and respond to the needs of litigants who may feel disadvantaged in their dealings with the courts. A sub-committee of ETAC dealing with issues of gender and sexual orientation is preparing guidance for full and part-time judges that will deal specifically with violence against women.

6. CONCLUSION

6.1 We are determined that violence against women should be seen, and addressed, as the crime it is.

6.2 This document sets out our commitment and our approach.

6.3 It recognises the challenges in addressing the particular circumstances surrounding violent crimes against women; and it is very clear about the opportunities that will be created if women, and so often their children, no longer have to live their lives in fear.

6.4 In promoting good practice, we place our faith in the commitment and creativity at the local level to deliver, through effective multi-agency partnerships, the support and services women need. And to facilitate that progress, we pledge our commitment, support and a clear framework for action.

6.5 Within five years we expect to see effective violence against women partnerships operating across the country. We stand ready to support a new range of innovative projects under the Crime Reduction Programme which will further lead the way. But above all, we move into a new era where we no longer sweep violence against women under the carpet; where women can seek and find the help they need without fear of shame or retribution; and where we all: public and voluntary sector, the justice system, and national and local agencies of all kinds, pull together to build a better society.

SUMMARY OF GOVERNMENT ACTIVITY

SETTING THE SCENE

Measure	Lead Dept	Partners	Timeframe
Integrate projects addressing domestic violence, rape and sexual assault into the main strands of activity under the Crime Reduction Programme. (para 1.21)	Home Office	WU	1999 - 2002

PROTECTION & PROVISION

Encourage identification of local level of domestic violence in crime and disorder audits, and development of strategies. (para 2.4)	Home Office	Community Safety Partnerships, Police	Ongoing
Publish new inter-departmental guidance to agencies dealing with violence against women to assist local areas develop inter-agency partnerships. (para 2.8)	Home Office	CPS, DETR, DfEE, DoH, LCD, WU	Spring 2000
Consider expanding Victim Support's helpline to 24 hours. (para 2.35)	Home Office	Victim Support	End 1999
Publish guidance <i>Allocations and Homelessness</i> . (para 2.41)	Department of the Environment, Transport and the Regions		Summer 1999
Set up new database for practitioners of accommodation and support services available to households experiencing domestic violence in England. (para 2.45)	Department of the Environment, Transport and the Regions	DoH, London Research Centre WAFE, WU	April 2000
Publish research on the current provision of accommodation and support services for victims of domestic violence, and guidance for local authorities on different service approaches. (para 2.45)	Department of the Environment, Transport and the Regions	DoH, London Research Centre WAFE, WU	Summer 2000

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Measure	Lead Dept	Partners	Timeframe
Introduce a new policy and funding framework for support services, including refuges and rape crisis, through <i>Supporting People</i> . (para 2.48)	Inter-Departmental review of funding for supported accommodation	DSS, DETR, HMT, HO, DoH, National Assembly for Wales, Scottish Office, WU	Transitional Housing Benefit scheme from - April 2000
Expand Victim Support through a £19m grant. Implement new, nationwide support service for witnesses in Magistrates' Courts. (para 2.51)	Home Office	Victim Support, LCD	Completed by April 2002
Develop and implement a consistent approach to the collection and use of baseline data on violence against women. (para 2.62)	Home Office	CPS, DETR, DfEE, DoH, LCD, National Assembly for Wales, WU	Ongoing

JUSTICE

Include projects in the Crime Reduction Programme that are designed to reduce the attrition rate for rape cases. (para 3.4)	Home Office	WU	1999 - 2002
Publish new guidance for police on domestic violence. (para 3.8)	Home Office	ACPO	End 1999
Publish research study <i>A Question of Evidence? Investigating and Prosecuting Rape in the 1990s</i> . (para 3.11)	Home Office		Summer 1999
Implement recommendations in <i>Speaking up for Justice</i> to help vulnerable and intimidated witnesses give evidence safely in courts. The key recommendations for victims of rape, sexual assault and domestic violence are: • enable witness support to be provided by an agency other	Home Office	ACPO, CPS, DoH, LCD, LGA, Victim Support, WU	1999-2003

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<p>than the police, such as Victim Support;</p> <ul style="list-style-type: none">• offer a realistic choice of being examined by a female doctor for survivors of rape and sexual assault;• allow witnesses to give evidence on video link or from behind screens;• change the law to set out clearly when evidence on a complainant's previous sexual history may be admitted in evidence and to stop defendants from personally cross-examining victims;• give courts a statutory power to exclude the public from the courtroom when a rape victim is giving evidence;• train all those working in the criminal justice system to raise awareness of the needs of vulnerable or intimidated witnesses. (paras 3.12-3.18)			
Adopt accreditation system for community sex offender treatment programmes. (para 3.35)	Probation Service		End 1999
Consider funding arrangements and provision of child contact centres. (para 3.39)	Department of Health	LCD, HO, WU	Ongoing
Consider child contact arrangements where there is domestic violence. (para 3.39)	Lord Chancellor's Department	DoH, HO, WU	Ongoing
Introduce concessions to aid victims of domestic violence under One Year Rule applying to immigrants. (para 3.41)	Home Office		Summer 1999
Improve Criminal Injuries Compensation Scheme for the benefit of victims. (para 3.44).	Home Office		1 st quarter 2000
Comprehensive review to modernise sex offences legislation in England and Wales. (para 3.46)	Home Office	Steering Group & of External Reference Group.	Jan 1999 - Jan 2000

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Measure	Lead Dept	Partners	Timeframe
Reform the Offences Against the Person Act. (para 3.49)	Home Office		Subject to parliamentary time
Monitor the operation of the Family Law Act 1996 and consider need for qualitative research. (para 3.51)	Lord Chancellor's Department		Ongoing
Consider new Sex Equality Act to provide specific protection against sexual harassment. (para 3.54)	Department for Education and Employment	EOC, WU	Summer 1999
Research the use and effectiveness of the Protection from Harassment Act 1997. (para 3.55)	Home Office		End 1999

PREVENTION

Develop next stages of domestic violence awareness campaign <i>Break the Chain</i> . (para 4.4)	Home Office	CPS, DETR, DoH, DSS, LCD, National Assembly for Wales, WU	Ongoing
Publish final proposals for a national framework for PSHE and Citizenship in schools to give young people behavioural and relationship education. (para 4.11)	Department for Education and Employment	DfEE Advisory Group, QCA	Autumn 1999
Develop Government's media education initiative on violence to counter the negative impacts of viewing violence in the media. (para 4.21)	Department for Culture, Media and Sport	DfEE, DTI, HO, WU	Start June 1999
Release <i>Urban White Paper</i> and <i>Rural White Paper</i> to improve quality of life in urban and rural areas. (para 4.27)	Department of the Environment, Transport and the Regions		End 1999
Continue accreditation under the Secure Stations Scheme to improve security at overground and underground stations for both passengers and staff. (para 4.35)	Department of the Environment, Transport and the Regions		Launched 1998.

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Measure	Lead Dept	Partners	Timeframe
Publish national guidelines to prevent violence against NHS staff. (para 4.42)	Department of Health	CPS, HO, LCD	Autumn 1999
Implement key recommendations of <i>Review of Workplace-Related Violence</i> . (para 4.43)	Health and Safety Executive		End 1999
Complete research project to find out the extent and nature of violence at work. This will be based on the findings of the British Crime Survey (para 4.44)	Health and Safety Executive	Home Office	September 1999
Review health and safety risks, including the risks of violence at work, to mobile workers such as community nurses and social workers. (para 4.44)	Health and Safety Executive		Summer 1999
Publish research on examples of good practice on preventing violence at work in small and medium-sized enterprises. (para 4.45)	Health and Safety Executive		Mid-2000

GUIDANCE AND TRAINING

Publish new domestic violence policy. (para 5.5)	CPS		Dec 1999
Publish training manual and guide for probation officers responding to domestic violence. (para 5.6)	Home Office/ HM Inspectorate of Probation		Summer 1999
Publish synthesised existing professional guidelines produced at national and local levels to assist health professionals respond to victims of domestic violence. (para 5.7)	Department of Health	Range of statutory and voluntary organisations.	End 1999
Publish new guidance on a multi-agency approach to the protection of vulnerable adults. (paras 2.20 & 5.13)	Department of Health		Consultation summer 1999
Design projects to address the attrition rate and the need for more specialist training in rape and sexual assault cases under the Crime Reduction Programme. (para 5.26)	Home Office	WU	1999 - 2002

INTERNATIONAL & EUROPEAN ACTION

Violence against women is a problem not only in Britain but across the world. We will play our part in developing effective responses to reduce it. We will:

- work with our European partners through the European Union and the Council of Europe;
- deliver on the commitment to tackle violence against women made at the 4th UN World Conference on Women held in Beijing in 1995;
- continue to assist developing countries reduce violence against women through aid from the Department for International Development.

European Year of Activities to combat violence against women

During our Presidency of the EU we promoted and secured agreement that 1999 should be a year of activities to combat violence against women. On International Women's Day 1999, the Commissioner for Immigration, Home Affairs and Justice launched the year, including a White Ribbon campaign aimed at men speaking out against violence against women.

The German Federal Women's Ministry organised a conference in Cologne in March 1999, as part of Germany's EU Presidency, to mark the start of the year of activities. The conference, entitled *Ways of Overcoming Violence against Women in the European Union* focused on domestic violence and in particular the legal aspects. Finland is planning a follow-on conference in November 1999 during its Presidency.

The DAPHNE programme

The DAPHNE programme was set up in 1997 by the EU Parliament. Its purpose is to contribute to the work of NGOs in combating violence against women, young people and children. 1999 is the second year of a 3 year pilot programme, and includes 49 new projects with a total budget of 3million ecus per annum. Several UK projects have already been funded including a Women's Safe Transport Project in Canning Town to reduce the fear of crime. Other successful projects include funding for computer software for Hammersmith and Fulham's Standing Together against Domestic Violence project to enable the tracking of domestic violence offenders.

Four of the projects deal with trafficking in human beings and 13 address domestic violence, paying particular attention to the collation of accurate data, the co-operation of the police and help for victims in rural areas.

The Commission proposes to turn the DAPHNE programme into a five-year Community Action Programme with a budget of 5 million ecus per annum running from 2000 to 2004. We support this programme and are currently negotiating with the Commission on legal and budgetary issues, with a view to resolving the situation as soon as possible.

Council of Europe

The Council of Europe consists of 41 Member States, including the 15 EU Member States and 11 applicant countries as well as Central and Eastern European Countries. Other countries may attend as observers. The Council's objectives are democracy, human rights and the rule of law. The Council of Europe has been working on violence against women for a number of years. It has a group of academic specialists who have produced several documents including a plan of action for combating violence against women.

Beijing Platform for Action

In September 1995 the 4th UN World Conference on Women in Beijing identified twelve broad areas of critical concern. Three of the Strategic Objectives which related to violence against women were "*taking integrated measures to prevent and eliminate violence against women; studying the causes and consequences of violence against women; and the effectiveness of preventive measures and eliminating trafficking in women and assisting victims of violence due to prostitution and trafficking.*" The objectives are outlined in the conference's Global Platform for Action (PfA). We reported on progress in implementing the PfA in *Delivering for Women: Progress so far*, published in November 1998. This document constitutes a further stage in that process.

Commission on the Status of Women

Since the Beijing conference, the UN Commission on the Status of Women (CSW) has devoted its annual meetings to considering progress on particular strategic objectives of the Platform for Action. Violence against women was one of the four topics considered at the 1998 meeting where CSW re-affirmed its endorsement of the objectives agreed at Beijing.

Baroness Jay visited CSW43, which was held in New York in March 1999 on International Women's Day, taking part with prominent speakers from around the world in a UN video-conference on violence against women, organised by the UN Development Fund for Women (UNIFEM).

UK participation in international programmes

The Department for International Development (DFID) works in partnership with international governments and agencies to tackle violence against women internationally. DFID makes contributions to international policy-making to aid implementation of the Beijing Platform for Action, and has a clear focus in the development assistance programme, which adopts a rights-based approach.

Gender discrimination represents the single most pervasive form of social exclusion and remains a fundamental obstacle to world development. DFID is increasing UK support to actions aimed at preventing conflict and tackling

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violence against women. In Jamaica for example, violence against women has been identified as a priority in support for urban poverty reduction, and humanitarian assistance in Bosnia includes support for traumatised women.

Trafficking and exploitation of women

We are fully committed to opposing trafficking in women and its associated activities. We are taking steps to implement the EU Joint Action of December 1996 to combat trafficking in human beings and the sexual exploitation of children. In addition, the UK has adopted The Hague Ministerial declaration on a European Code of Conduct to prevent and combat trafficking in women for the purposes of sexual exploitation. We are continuing to work on the problem with other EU Member States and the countries of Central and Eastern Europe.

We support action to combat illegal immigration including that of women for sexual purposes, in both EU and international fora. We supported the EU funded information campaign, launched in 1998, aimed at alerting women to the risks involved in such illegal immigration. The campaign used a variety of information sources and targeted groups such as high-school and university students, unemployed and low-paid women.

Prevention of Violence at Work

The Luxembourg Advisory Committee (LAC) is a tripartite committee set up and managed by the European Commission's Directorate General V which is responsible for health and safety. The LAC has established an Ad-hoc Group (AHG) on preventing violence at work whose task is to prepare an opinion for the LAC following a draft report *Guidance on the Prevention of Violence at Work*. This report drew heavily on Health and Safety Executive research and guidance and concluded that, within the EU, violence at work is a significant health and safety issue that has been consistently under-estimated. The report identifies the types of employment where work-related violence is most common, which are areas that women are most often involved in.

The report recommended issuing guidance on violence at work and an awareness raising campaign. The AHG will be considering these recommendations and should an awareness campaign result, HSE will offer to host a conference in the UK to launch it.

DEFINITIONS

BULLYING: Includes behaviour which is offensive, intimidating, malicious or insulting and is abuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

DOMESTIC VIOLENCE: Includes all kinds of physical, sexual and emotional bullying within all kinds of intimate relationships.

ELDER ABUSE: Includes physical, psychological and financial neglect, as well as sexual abuse. The definition agreed by *Action on Elder Abuse* is "a single or repeated act, or lack of appropriate action occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person."

FEMALE GENITAL MUTILATION: The practice of Female Genital Mutilation covers all procedures involving removal of any part of the external female genitalia or other injury to the female genital organs whether for cultural or other non-therapeutic reasons

RAPE: Non-consensual sex (only anal and vaginal)

SEXUAL ASSAULT: An assault of a sexual nature.

SEXUAL HARASSMENT: The European Commission, in its 1991 *Code on Dignity of Men and Women at Work* defined sexual harassment as unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work.

STALKING: Is not legally defined. It includes continuous, unwanted attention which can cause intimidation and fear of violence.

GLOSSARY OF TERMS

ACAS	Advisory, Conciliation and Arbitration Service
BCS	British Crime Survey
BSC	Broadcasting Standards Commission
CCTV	Closed Circuit Television
CPS	Crown Prosecution Service
CRP	Crime Reduction Programme
CoE	Council of Europe
DCMS	Department for Culture, Media and Sport
DETR	Department of the Environment, Transport and the Regions
DfEE	Department for Education and Employment
DFID	Department for International Development
DH	Department of Health
DSS	Department of Social Security
DVIP	Domestic Violence Intervention Project
ECHR	European Convention on Human Rights
EOC	Equal Opportunities Commission
EU	European Union
HSE	Health and Safety Executive
IDWG	Inter-departmental working group
IWF	Internet Watch Foundation
JSB	Judicial Studies Board
LCD	Lord Chancellor's Department
NGOs	Non-government organisations
NHS	National Health Service
NSPCC	National Society for the Prevention of Cruelty to Children
PSHE	Personal, Social and Health Education
UN	United Nations
UNIFEM	United Nations Development Fund for Women
WU	Women's Unit, Cabinet Office

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Broadcasting Support Services, *Survivors Directory*. Contact Tel 0161 277 7000, Fax 0161 277 7018.

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Women's Unit and DETR (1998) *Tackling Violence Against Women*. Contact Women's Unit, Cabinet Office, Tel 0171 273 8880, Fax 0171 273 8813.

Funding

There are many sources of funding for organisations working with women who have experienced violence. These sources include charities, local authorities, police health authorities, the National Lottery, Government and private donations. The following guide lists sources of Government Funding. A new directory is due to be published later in 1999 on sources of European Union Funding.

Directory of Social Change (1998) *A Guide to Government Funding from Government Departments & Agencies*. Contact Tel 0171 209 5151, Fax 0171 209 5049, email: info@d-s-c.demon.co.uk

GOOD PRACTICE INDEX

County	Para	Good Practice Example
Avon	3.19	Crown Court witness support
Berkshire	4.51	Domestic abuse as a workplace issue
Cheshire	4.3	Zero Tolerance
Essex	2.55	South Essex Rape and Incest Crisis Centre
Gloucestershire	2.38	Forest of Dean District Council linkline
	4.16	Rural Victim Support
Greater London	2.3	Hackney Crime & Disorder Reduction Partnership
	2.15	Croydon's One Stop Shop*
	2.25	Hackney Domestic Violence Service Directory
	2.50	Domestic Violence Matters*
	2.55	Newham Asian Women's Project
	2.55	Rape Crisis Federation
	3.6	Hammersmith and Fulham Domestic Violence Forum
	3.38	Accord Child Contact Centre
	3.31	Domestic Violence Intervention Project*
	4.46	London Centre for Personal Safety*
	4.49	Harassment advisors at work
	4.34	Connex Rail's Hither Green Station
	5.4	Islington Council-wide good practice guidance on domestic violence
	5.18	Specialist African Well Woman Clinics
	5.22	Train the Trainers
	5.24	Domestic violence guidelines and training for health professionals
Hampshire	3.29	Domestic Violence Perpetrators' Programme
	4.51	Portsmouth Health Care NHS Trust
Lancashire & Hertfordshire	3.21	Police piloting use of polaroid cameras
Leicestershire	2.10	Juniper Lodge Sexual Assault Response Centre
Manchester	2.10	St Mary's Sexual Assault Centre
National	2.25	Women's Aid Federation of England's <i>Gold Book</i>
	2.25	Broadcasting Support Services' <i>Survivors Directory</i>
	2.32	Refuge's National Crisis Line
	2.32	WAFE National Domestic Violence Helpline
	2.32	Victim Supportline
	2.44	Women's Aid Federation of England
	2.44	Refuge

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	2.50	Southall Black Sisters (SBS)
	2.50	Victim Support
	2.57	Women's Aid Resource Pack
	3.19	Witness Service run by Victim Support
	3.31	Principles for Perpetrators Programmes
	3.38	National Association of Child Contact Centres
	4.3	Zero Tolerance*
	4.8	Hands Off Resource Pack for Schools
	4.8	Respect Curriculum Materials*
	4.8	Resource about sex and relationships' education for boys
	4.26	Crime Concern's Guide <i>Perspectives on Prevention</i>
	4.46	Suzy Lamplugh Trust
	5.4	British Medical Association's <i>Domestic Violence: a health care issue?</i>
	5.15	Foundation for Women's Health Research and Development
	5.22	Child & Woman Abuse Studies Unit training on violence against women*
	5.22	Women's Aid training on domestic violence*
Norfolk	2.38	Norwich County Council linkline
Nottinghamshire	2.50	Nottingham Women's Centre
Oxfordshire	4.15	<i>Behind Closed Doors</i> theatre-in-education workshop*
Surrey	2.14	St Helier's Hospital
Sussex	4.40	Brighton Health Care NHS Trust
Tyne & Wear	2.10	STAR Project
	2.38	South Tyneside Metropolitan Borough Council Alarms
Wales	2.44	Black Association of Women Step Out Ltd (BAWSO)
	5.22	Women's Aid bilingual training pack on domestic violence
West Midlands	4.14	Awareness-raising among teachers
	4.26	Wolverhampton Town Centre
Yorkshire	2.6	Leeds Inter-Agency Project*
	3.6	Police Intervention in Domestic Violence*
	3.34	Kerb Crawlers Re-education Programme
	4.8	<i>Girlpower</i> Resource & Training Pack
	5.24	Specialist training for barristers, police & solicitors

* Projects that have been evaluated.

ACKNOWLEDGEMENTS

We would like to acknowledge the contributions of the following non-government organisations and academics who were involved in informal consultations in the development of this report.

Non-Government Organisations

The Association of London Government; Crime Concern; Domestic Violence Intervention Project; Greater London Association of Disabled People; Hammersmith and Fulham Duluth Pilot; Network of Access and Child Contact Centres; Rape Crisis Federation; Refuge; Rights of Women; Southall Black Sisters; South Essex Rape and Incest Crisis Centre; Victim Support; Welsh Women's Aid; Women and Girls' Network; Women's Aid Federation of England; and Zero Tolerance Charitable Trust.

Academics

Julie Bindel, Leeds Metropolitan University, Research Centre on Violence, Abuse and Gender Relations; Rebecca Dobash, University of Manchester; Susan Edwards, University of Buckingham; Gill Hague, Domestic Violence Research Group, University of Bristol; Jalna Hanmer, Leeds Metropolitan University, Research Centre on Violence, Abuse and Gender Relations; Dr Kathy Humphries, Department of Applied Social Studies, University of Warwick; Dr Liz Kelly, Child & Woman Abuse Studies Unit, University of North London; Sue Lees, University of North London; Rebecca Morley, University of Nottingham; Jill Radford, University of Teeside; Lorraine Radford, Roehampton College; Prof Elizabeth Stanko, Centre for Criminal Justice Research, Brunel University.



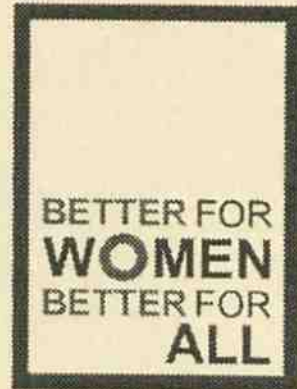
**CABINET
OFFICE**

Minister for Women

70 Whitehall ■ London SW1A 2AS

TELEPHONE: 0171 270 0501

■ FAX: 0171 270 0491



f

28 May 1999

Top: DN
cc: JJA
VW

PRIME MINISTER

The New EU Commission: Women's Issues

I am writing to support David Blunkett's proposals concerning the new Commission and recommend that a Commissioner be given responsibility for women's issues.

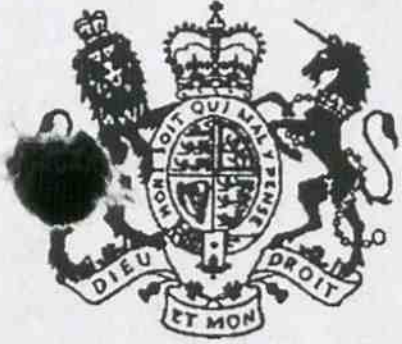
I have seen David Blunkett's letter of 21 May and support his suggestions concerning both the nationality and the possible portfolio of the next Social Affairs Commissioner. In correspondence with Robin Cook and other members of EDOP, I have raised the possibility of a Commissioner being given specific responsibility for women's issues. The replies have been supportive.

I am anxious that we seize this opportunity to ensure that European Institutions are able to respond to cross cutting issues in a coherent way. It is clearly important to ensure that Commission proposals are formulated and considered in the light of their possible impact on women or groups of women. There seems to be agreement that the previous arrangements were ineffective and that the credibility and importance of what ought to be an important mainstreaming portfolio was undermined. I think a good way forward would be for the new Commissioner for Social Affairs to have a clear remit on this subject.

I am copying this letter to all members of the Cabinet, Sir Richard Wilson and Sir Stephen Wall.

MARGARET JAY

[Agreed by the Minister
and signed in her absence]



Minister for Women

CABINET OFFICE

70 Whitehall ▪ London SW1A 2AS

TELEPHONE: 0171 270 0501

▪ FAX: 0171 270 0491



20 May 1999 *→ faxed?*

f

*Top: Dn
cc: JJA
P)*

PRIME MINISTER

John Major
Listening to Women

As you know, Tessa Jowell and I have been conducting a series of very useful 'Listening to Women' roadshows. We hope to publish the results of our campaign on 23 September 1999.

The exercise comprised three parts - twelve roadshows reaching all parts of the country, a postcard campaign and MORI focus groups. We feel we have succeeded in hearing the authentic voice of women throughout the UK and plan to present the findings as an agenda for Government at a conference in London. The audience will consist of women who participated in 'Listening to Women' and key women decision makers.

The overwhelming points coming across are that women know too little about what the Government is doing and there is concern about the 'work/life' balance, including stay at home mothers and caring responsibilities generally. On the other hand, there is real excitement at being genuinely listened to, and enthusiasm about policies which are understood in areas like child care and crime reduction.

It would send an important signal about the Government's continuing commitment to women's concerns if you were able to take part in the September conference. 'Marks and Spencer', in the person of Clara Freeman an Executive Director who is also Chairman of Opportunity 2000, have agreed to sponsor the conference. We also plan to get other private sector partners involved.

Overall, I think this will be an important, forward looking event which will launch the next phase of the Government's agenda for women and their families.

A copy of this letter goes to members of HSW.

Yes even

THE RT HON THE BARONESS JAY OF PADDINGTON



HOME OFFICE

50 Queen Anne's Gate, London SW1H 9AT

Tel: 0171 273 4608 Fax: 0171 273 3094

Kate Hoey MP

Parliamentary Under Secretary of State

Tessa Jowell
Minister of State
Department of Health
Richmond House
79 Whitehall
London
SW1A 2NS

- 9 APR 1999

DN
E. J. H.
R

Dear Tessa

EU DAPHNE PROGRAMME: PROPOSED UK NEGOTIATING POSITION

Thank you for copying me your letter of 31 March to Robin Cook, seeking agreement to a proposed UK negotiating position on the EU DAPHNE Programme. I am writing to support the approach you are taking.

In view of our initiatives on violence against women, young people and children, it is clearly right for the UK to support the Programme in principle. I recognise and share your concerns about structural issues, particularly the intended legal base, but agree that these are not grounds for withdrawing our support entirely. I am particularly keen to see effective monitoring and evaluation of the programme and agree that we should argue strongly for Member State oversight rather than an advisory committee. The negotiating position you suggest is a sensible way of addressing those concerns.

I agree that it would be logical for the Home Office and Department of Health to share the lead on DAPHNE.

A copy of this letter goes to Robin Cook, members of (E) DOP, Sir Stephen Wall, Sir Richard Wilson and Margaret Jay.

Yours sincerely
Kate

Kate Hoey

f

From: JOHN ELVIDGE
Economic and Domestic Secretariat
Date: 31 March 1999
Tel 270 0140

BARONESS JAY

cc David North
Sharon White (No 10)
Fiona Reynolds (Women's Unit)
Liz Hutchinson
Ruth Ingamells

Forthcoming meetings of HS(W).

In consultation with the Women's Unit, I have been giving some thought to the work of HS(W) between now and the summer Recess. It seems to me that we need a meeting in April to pick up some of the issues which weren't covered at the last meeting and a further meeting, possibly in late June or July, to discuss the work on teenage girls and the Better Government for Women Project which, by then, should be well underway.

April meeting

2 You will recall that a meeting is necessary in April to take Margaret Hodge's paper on family friendly employment and the devolution paper deferred from the last meeting. It is likely to be in the week commencing 26th April. This will give HS(W) an opportunity to feed into the work before Margaret Hodge reports to the Ad Hoc Ministerial Group on the Family in May.

3 On **family friendly employment** we suggest taking a number of papers from different departments under a single agenda item. This is more likely to promote discussion and encourage connections to be made between the different areas. It will also mirror the papers which are going to the next Family Policy Group on 13 May. The papers will be:

- the DfEE paper on Family Friendly employment (We understand that Margaret Hodge may be circulating an update in correspondence before Easter. DfEE officials hope that they will then be able to provide HS(W) with a first draft of the strategy paper for the Family Policy Group. We understand that Margaret Hodge is content with a meeting the week commencing 26th April);
- a Minister for Women paper on the Women's Unit NHS/retail project;

- the paper from the Cabinet Office on Central Government as a family friendly employment which was commissioned at the meeting Jack Straw chaired with you, Margaret Hodge and Jack Cunningham.
4. The meeting will also need to take the item on **devolution**, deferred from the last meeting since Helen Liddell could not attend. We have asked the Welsh and Northern Ireland Offices to prepare notes to stand alongside the Scottish Office paper. These need not be long but will highlight differences from and similarities with, the Scottish approach, and will therefore provide a basis for a fuller discussion of issues arising from devolution.
 5. The meeting could also take **oral updates on teenage girls and women's incomes projects**, which were not reached at the last meeting.
 6. Family friendly employment and devolution (with a possible seven papers between them) and two oral updates will form a substantial agenda. We recommend that the agenda is kept to these items.
 7. You will recall that you had asked for an update on Better Government for Women at the next meeting. However, we understand that the Women's Unit would like to this issue to a later meeting to give them an opportunity to conduct further analysis and liaise with officials in other departments. Given the views expressed by colleagues at the last meeting, we agree that further work is needed before it is put back to the Committee.

Further meetings

8. It would be useful to have another meeting before the summer recess. Early ideas for this agenda are:
 - Research: a paper covering a new analysis of women's views of, and interactions with, institutions and power (including government and public services) and an update on polling information, allowing tracking of findings over time;
 - Better Government for Women: this might take the form of a presentation on progress of this project and;
 - Teenage girls: a substantive discussion on the focus of this project and progress to date.
9. A further meeting could then be held after the summer recess.

Conclusion

10. That you agree to:
 - an April meeting with an agenda covering family friendly employment, devolution, women's incomes and teenage girls; and
 - a further meeting before the summer recess.

JOHN ELVIDGE

7.APR'99 8:46 DHEALTH

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P.2



Richmond House 79 Whitehall London SW1A 2NS Telephone 0171 210 3000 -
From the Minister of State for Public Health

DN

cc: JSH

JS

PS

JPO

- Jeremy Lee

The Rt Hon Robin Cook
Foreign Secretary
Foreign and Commonwealth Office
King Charles Street
Whitehall
London SW1

I have just read Teresa Tavello's note on the EU's Daphne Programme. I agree with your concerns about subsidiarity. Peer reviews of Member State practice could be beneficial, as might EU funding of some experimental initiatives - attempting to transfer good practice in one Member State to another. But not much more. I would suggest a PS letter to PS/FS

Mr Robin,

EU DAPHNE PROGRAMME: PROPOSED UK NEGOTIATING POSITION

I am writing to seek agreement to a UK negotiating position on a Commission proposal for a five-year programme supporting action to combat violence against women, young people and children. I am proposing that we should support the programme in principle, but that we need to resolve concerns over the legal base and sharpen up the content of the proposal, in particular to ensure that it genuinely adds value to domestic activity and meets concerns about subsidiarity. I would be grateful for a response by 12 April in time to provide UKREP with a steer at the next negotiating meeting on the proposal, and so that I can submit an Explanatory Memorandum to the next meeting of the European Scrutiny Committees.

I should explain the background to this proposal. The EU currently funds the DAPHNE programme which funds non-governmental and voluntary organisations (NGOs) working to combat violence against women and children. The programme originated primarily as a response to the 1996 Stockholm World Congress on the Commercial Sexual Exploitation of Children, and the Dutroux affair in Belgium. DAPHNE currently operates as a pilot programme without a legal base. It runs from 1997-1999 at a cost of 3 million ECU p.a.

The new Commission proposal, set out in COM(1999)82 final, is for a five-year Community Action Programme from 2000-2004, costing 5 million ECU p.a. The Commission proposes that it should have a legal base, and be open to the 11 applicant States as well as existing Member States.

Ray



This Government has attached a high priority to combating violence against women and children, and is taking forward major programmes of work to reduce domestic violence, and to protect children from abuse; for example through our response to the Children's Safeguards Review, and the publication later this spring of *Living Without Fear - An Integrated Approach to Violence Against Women*. We have signalled in a high profile way that we support international, as well as domestic action in these areas. When the UK held the Presidency last year, Joan Ruddock, in her role as Minister for Women, said that one of the priorities of the Presidency was that Europe should work in the interests of women. A meeting chaired by the UK concluded that cross-European strategies in this field needed to focus on greater awareness and the sharing of best practice. The UK has also taken an international lead in the field of child abuse through the ASEM child welfare initiative. Through this initiative, the UK and the Philippines are jointly promoting co-operation across Europe and Asia to protect children from commercial sexual exploitation.

Other Member States support the EU's new proposal in principle. Given the stance this Government has taken on these issues, I think it would appear inconsistent if we did not support the thrust of the proposal, and indeed, I think this is a field where the UK has a great deal to contribute internationally. It does not have substantial resource implications - even if the proposed budget increase is agreed, it will result in additional spending of 2 million ECU p.a. for five years across all Member States. I therefore believe that we should support the proposal and am seeking agreement to this position.

I do, however, have a number of concerns which I would wish to see reflected in our negotiating position. First, there needs to be agreement on a legal base. The Commission originally proposed the use of either Article 235 or Article 129. Neither is completely satisfactory. It is now clear that Article 235 will definitely not secure agreement from some Member States and that DAPHNE could not proceed on this basis. The Commission has therefore produced a re-cast proposal based on Article 129. I do have some concerns about the use of that Article, as this would introduce what could be considered a social protection measure under the EC public health provision and widen the scope of public health protection measures. It would also be an incomplete legal base insofar as the programme will cover third country national women and children who have been trafficked into sexual exploitation. I understand that other Member States share these concerns. I do not think they are grounds for opposing the programme outright, however, and we have no better alternative Treaty base to offer. I have therefore asked officials and lawyers to consider the best means of strengthening our hand in preventing unwelcome precedents in respect of the future use of Article 129 - through amendments to the proposal, accompanying statements or otherwise. We should insist upon these changes. We know that some

7.APR'99 8:47 DHEALTH

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P.4



other Member States will be sympathetic to this approach, and we should marshal their support in negotiations.

Second, there is the issue of subsidiarity. This will be carefully borne in mind in negotiations, but I hope you can agree in principle that sharing information between NGOs and between Member States themselves, can potentially add value to domestic activity. We should seek in negotiations to sharpen up the programme to make sure that it produces useful outcomes, is consistent with other international activity in this field, and is effectively monitored and evaluated. I suggest that we oppose any increase in the programme's budget until its content is clearer and we are confident of its value. We should argue for oversight by a Management Committee made up of Member States, rather than an Advisory Committee as the Commission is currently proposing.

I propose that detailed work on the legal base and on the substance of a negotiating brief which addresses all the concerns I have identified, should be handled through correspondence between officials, with the help of legal advisers.

Responsibility for the issues raised by the Commission's proposal is shared across Government Departments. Those Departments with the greatest interest are the Home Office, who lead on domestic violence and have a considerable input into work to protect children from abuse, and the Department of Health, which leads on child protection. I am proposing that - consistent with the arrangements for collaborative and seamless working we have put in place for so much work in these areas - there should be a shared lead on the DAPHNE programme between Home Office and the Department of Health. We shall, of course, involve other Government Departments as and when appropriate.

I am copying this letter to members of (E)DOP, Sir Stephen Wall, Sir Richard Wilson, and Baroness Jay.

Yours
Tessa

TESSA JOWELL



Minister for Women

CABINET OFFICE

70 Whitehall - London SW1A 2AS

TELEPHONE: 0171 270 0501

FAX: 0171 270 0491



3 March 1999

Patricia Hewitt MP
Economic Secretary to the Treasury
Treasury Chambers
Parliament Street
London SW1P 3AG

*1.0/2.0/3.0
2 (F)*

*DB
C:CH
PW*

Aw Patricia,

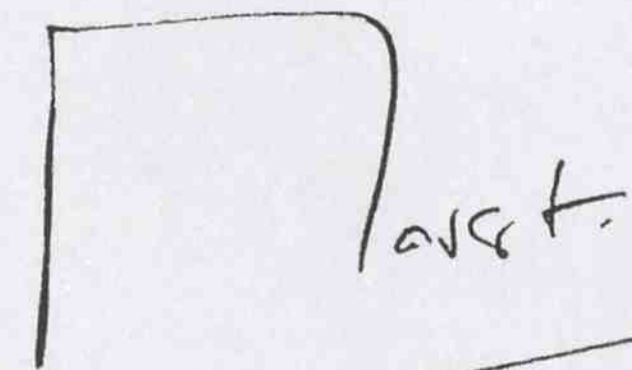
GENDER DISAGGREGATED STATISTICS

Thank you for your letter of 29 January. It was very useful to be given an update on gender disaggregated statistics following the meeting of HS(W) earlier this year.

The work by the Office for National Statistics and Equal Opportunities Commission, including their two publications, looks very helpful. The Time Use Programme and Survey also looks exciting work; especially given the Treasury's commitment to take account of unpaid work. I would be interested to see the future work programme of the Gender Statistics Users Group, as well as the outcome of the ONS workshop on future research. I know that Juliet Mountford, the principal research officer in the Women's Unit, continues to liaise with Jil Matheson at ONS.

I think it would be useful to meet up and discuss how we can take these and related issues forward. In the light of the progress already made, my feeling is that we now need to focus on how to encourage Departments across Whitehall to own this work. I have asked my office to get in touch to set up a convenient date. It would be useful if the meeting could be arranged before the next meeting of HS(W), now scheduled for 18 March, if at all possible.

I am copying this letter to the Prime Minister, other members of HS(W) and Sir Richard Wilson.

Yours ever


THE RIGHT HON THE BARONESS JAY OF PADDINGTON

PA 1513



Clare Hawley

Do you go? advised 3/6/99

Department for Education and Employment

Caxton House
6-12 Tothill Street
London SW1H 9NF

Telephone 0171 273 3000
Fax 0171 273 5124

big Fax

sep. copies

Clare

COVERING RESTRICTED

I want to an officials meeting on this I will go tomorrow

To all colleagues on the enclosed list today

Main issues were

(i) should equality scope be extended to sexual orientation

9 February 1999

Dear Colleagues

(ii) should public bodies be set a statutory duty to promote equality?

EOC RECOMMENDATIONS ON GENDER EQUALITY LEGISLATION: PREPARING THE GOVERNMENT'S RESPONSE

CONFIRMATION OF INTERDEPARTMENTAL MEETING

(iii) should Sex Discrimination Act be extended to public appointments. if it is it will

Ministers wish to finalise soon their response to the EOC's recommendations for amending the Sex Discrimination and Equal Pay Acts. An officials meeting has been arranged for 10:00am on Wednesday 3 March, Room LG24, Sanctuary Buildings, Great Smith St, SW1.

I propose we should consider briefly the range of relevant developments across Departments; discuss the key and other EOC recommendations with a view to finalising advice to Ministers; and identify next steps. An analysis of the EOC's recommendations with our initial comments is enclosed with this letter, together with the agenda for the meeting.

Please confirm with Sandra Craig here that you will be attending the meeting or, if you are unable to be there, which other senior official will represent your Department. Sandra's number is (0171) 273 4866.

Mark W...

remove all restrictions to appoint against merit

John W...

(iv) should WP/legislation be race only or extend to gender, disability (+ sexual orientation)

R A NIVEN

Joan

(NIO: George O'Donerty)

Leg - Stat - bodies

pub + accountability
imp to A

EOC + CRE

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and time
of RPA

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need
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make it?

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+ targets

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have equality plans pub'd

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Equality
Commissions
= demand

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All evidence

other cos

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producing plans.

key ->
enforcement

Public Appointments - 4 brought
in SOA

-> deli - 9 - then cannot talk decisions

THE CASE FOR A STATUTORY DUTY ON PUBLIC BODIES TO PROMOTE EQUALITY

A paper by DfEE and the Home Office

Summary

This paper proposes placing a statutory duty on public bodies to promote equality of opportunity between men and women, people of different racial groups and for people with disabilities. It would be consistent with, and add momentum to, agreed Government policy on "mainstreaming" and the focus in *Modernising Government* on recognising diversity and meeting the differing needs of service users. It would clearly signal the Government's commitment to make further progress on equality in the light of the need to respond to the legislative reviews by the CRE and EOC; the remaining deep-rooted problems evidenced by the Lawrence enquiry; to take forward some of the emerging recommendations of the Disability Rights Task Force (DRTF); and enactment of a parallel duty under the Northern Ireland Act.

Background

1. The Government needs to respond to the legislative reviews produced respectively by the CRE and EOC last year which recommended extensive and substantive changes to the Race Relations Act 1976 and Sex Discrimination Act 1975 after over 20 years' experience. Many of the recommendations will be difficult to accept, not least because of their impact on business when the Better Regulation Task Force is about to recommend minimum change, with effort concentrated on co-ordinated advice and guidance to help employers meet their current obligations.
2. A consistent theme of both Commissions (and emerging views of the DRTF) however is the need to shift from reliance on the right to challenge acts of individual discrimination to a more strategic approach which builds in equality considerations at the outset, notably by requiring the public sector to consider differential impacts at policy appraisal and service delivery stages, and steps to ameliorate them. In other words, to put mainstreaming on a statutory basis.
3. DfEE and Home Office Ministers, along with Baroness Jay, are sympathetic to the proposal and have indicated, subject to satisfactory working up of the details, that they would regard this as a priority item in any early equality Bill. The Northern Ireland Act already provides for such a duty to apply there. This note sets out the case for the proposals and some detailed issues which need to be resolved.

The case for a statutory duty

4. A statutory duty on public bodies to promote equality is consistent with, and adds momentum to, the agreed strategic approach on equality and diversity issues. In particular, it builds on mainstreaming, which requires officials presenting programme or policy proposals to include an impact analysis which clearly brings out the effect on particular groups, and to say how any relevant differences have been addressed to avoid or compensate for any adverse differential impact. *Modernising Government* similarly emphasises the diversity of service users' needs, which may require to be met

in different ways, reflecting consultation with different groups, and not by a single, producer-driven model. It also requires the need for targets to focus action to secure diversity in public appointments and staffing including at senior levels.

5. The **policy intention** of the statutory duty on public bodies is that it should focus sustained and serious attention to building in equality:

- i) at the **policy development** stage, through impact analyses
- ii) at the **service delivery** stage, through monitoring and analysis of participation and outcomes.
- iii) in relation to the **public sector workforce** to ensure it reflects the diverse population it serves.

6. **In practice** we propose it should require production of an equality plan (to be updated annually) setting out what the public body has done and will do to deliver the policy intent. This might well incorporate a statutory requirement to monitor public sector workforces. The plan would be open to public scrutiny but we do not envisage additional Commission powers to scrutinise and challenge (as happens in Northern Ireland and called for by the CRE - see Annex). Enforcement would be through the following mechanisms:

- i) plans would be in the public domain. Commissions and other interest groups would no doubt challenge publicly perceived deficiencies. Public bodies are already amenable to judicial review proceedings in England and Wales. This enables the Commission or an aggrieved person to obtain a determination where there has been a clear breach of law and is particularly relevant when it is alleged that a public body has adopted a discriminatory policy;
- ii) Departmental Select Committees might scrutinise the relevant plans of Departments and agencies or a new equality Committee could be created to assess and compare performance across Government

7. A possible enhancement of the proposal, which could give the Commissions a role short of enforcement, would be to invite them to draw up a Code setting out what a model equality plan could contain. This would offer a structure against which a public body could be challenged and act as an incentive to adopt best practice.

8. It might be argued that mainstreaming should be given more time to work, having only recently been supported by high level political commitment. The Prime Minister has said it is central to policy formation and has given a new co-ordinating role to Jack Cunningham. This will build on the guidance issued in November 1998. However, policy appraisal on gender has been in place since 1992 across Government with limited impact: Women's Unit have very recently for example pointed to the failure of guidance to RDAs to cover gender in any meaningful way. And after 20 years of individual rights-base cases taken by women and ethnic minorities in the public sector there are still major issues of culture and senior level representation to remedy, in teaching for example as well as the police force. Even in DfEE, generally regarded as in the vanguard, progress has been distinctly patchy.

SUMMARY ANALYSIS OF POSSIBLE RESPONSE TO
THE EOC'S RECOMMENDATION'S FOR CHANGES TO THE SEX EQUALITY LEGISLATION

A - Recommendations where legislative could be taken

- A1 Measures where legislation is most likely ?
- A2 Other measures where legislation is desirable
- A3 EU related measures where legislative action is essential
- A4 Desirable Employment Tribunal measures
- A5 Desirable sex equality measures with no race or disability parallels

B - Recommendations not to be taken forward through early legislation

- B1 Recommendations that have no race or disability parallels
- B2 Recommendations dependent upon OGD policy reviews and action
- B3 Recommendations that could be taken forward through non-legislative action
- B4 Other recommendations that are unacceptable

Every table sets out: the EOC's individual recommendations; whether there are implications for the Race Relations and/or Disability Discrimination Acts; and the proposed response with commentary.

RESTRICTED - POLICY

1 - MEASURES WHERE LEGISLATION IS MOST LIKELY

EOC Final Recommendation	RRA parallels	DDA parallels	Comments
1 The new statute should impose equality obligations on the full range of Government activities.	Yes	Yes	Partially accept. This would enable the HO to bring the police and immigration services under the scope of the Race Relations Act, if this is recommended in the Stephen Lawrence enquiry report. If HO proposals went wider (ie all government activity) there are significant implications for all Depts. (eg is it discriminatory to award child custody overwhelmingly to mothers?) DfEE would need to consider a parallel SDA and DDA provision, and may also need to consider exemptions for benefit, family and tax policies.

2 - OTHER MEASURES WHERE LEGISLATION IS DESIRABLE

EOC Final Recommendation	RRA parallels	DDA parallels	Comments
2 Public bodies should be required to work towards eliminating unlawful discrimination and to promote equality of opportunity.	Yes	Yes	Accept. This would emphasise the Government's commitment to equal opportunities and show the public sector leading the way. It could be implemented through a duty for public bodies to draw up and implement equality plans. This duty already exists in Northern Ireland.

RESTRICTED - POLICY

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3 Public appointments and office-holders should be protected from discrimination in appointment, terms and conditions, termination and any other detriment.	Yes	Yes	Partially accept. Would have the drawback that Ministers would not be legally able to select on "balance" rather than on strict "merit" but is presentationally hard to resist. [No obvious route of redress other than the through the Commissioner for Public Appointments and judicial review (as now) as Tribunals an unsatisfactory route.] It is unlikely that extension of the SDA to cover judicial appointments would be acceptable to the Lord Chancellor which is major drawback. An extension of the DDA with a duty of reasonable adjustment would have complications.
4 Employers (with the exception of private households) should be required to monitor their workforce in terms of the gender, job-title or grade, and rates of pay of their employees on at least an annual basis	Yes	Yes	Partially accept for the public sector. If HO are looking for public sector employers to monitor the ethnicity of their workforce then parallel gender monitoring would be appropriate. Many public sector employers already undertake workforce monitoring. But not convinced that this requirement should extend to the private sector, where further promotion of the benefits should precede any additional legislation. Disability monitoring would be more problematic due to definition and confidentiality issues but is probably necessary not least for compatibility.
5 Formal investigations should be controlled by strict time limits.	Yes	Yes	Accept. The DRC Bill already contains regulation making powers to provide for this.
6 The scope of non-discrimination notices should be extended to require ending specific practices which have been identified as the cause of sex discrimination.	Yes	Yes	" " " " "

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7 The EOC should be allowed to accept legally binding commitments from people and organisations who have agreed to make the necessary changes, instead of issuing a non-discrimination notice.	Yes	Yes	" "
8 The law should clarify S75 of the SDA in the context of EC law, the ECHR and the HRA. (S75 allows the EOC to help individuals with their case)	Yes	Yes	Partially accept. The EOC should be able to take cases under the HRA (Human Rights Act). The Government is committed to considering similar powers for the DRC - however there are legal concerns associated with this. Officials are investigating.

3 - EU RELATED MEASURES WHERE IMPLEMENTATION IS ESSENTIAL

Recommendation	RRA parallels	DDA parallels	Comments
9 The new statute should ensure the burden of proof in discrimination cases meets the requirements of the EC Council Directive on the Burden of Proof. When someone presents facts which suggest they have faced direct or indirect discrimination, the respondent must prove that there has been no breach of the principle of equal treatment.	Yes	Probably	Accept. Consistency between sex and race legislation is important so that the same rules apply for sex and race cases in tribunal proceedings. The Burden of Proof Directive applies only to employment situations and not to the broader provisions of the sex equality law dealing with goods, facilities and services. We would retain this distinction.
10 The new statute should define the terms 'direct' and 'indirect' discrimination on the face of the SDA	Yes	Probably	Accept. This would provide useful clarification of the terms. An amendment to the definition of indirect discrimination is required as part of the implementation of the Burden of Proof Directive (see below). However, the DDA does not incorporate the concept of indirect discrimination and further consideration is required.

RESTRICTED - POLICY

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<p>11 The new statute should incorporate the definition of indirect discrimination contained in the Council Directive on the Burden of Proof , with two changes: it should extend to 'policy' as well as 'provision, criterion or practice' and the phrase "substantially higher proportion" should be replaced by "disproportionate number"</p>	<p>Yes</p>	<p>No</p>	<p>Partially accept. See above. The definition agreed in the Burden of Proof Directive is " Indirect discrimination exists where an apparently neutral provision, criterion or practice disadvantages a substantially higher proportion of the members of one sex, unless that provision, criterion or practice is appropriate and necessary and can be justified by objective factors unrelated to sex". This wording took nine years to agree. Extending it goes beyond our EC obligations and the EOC's recommendation introduces an ill-defined term. HO also want to adopt the Directive's definition rather than one proposed by the CRE that was even wider than the EOC's proposal.</p>
<p>12 When someone presents facts which suggest they have been victimised for claiming their legal rights, the respondent should prove that victimisation has not taken place.</p>	<p>Yes</p>	<p>Yes</p>	<p>Accept. Once there is a prima facie case, this requirement on the employer changes the burden of proof. Is already happening in Tribunals.</p>
<p>13 Protection should be extended to ex-employees as well as current employees</p>	<p>Yes</p>	<p>Yes</p>	<p>Partially Accept. The principle was ruled recently by the European Court of Justice ruling. Some parameters would need defining.</p>

RESTRICTED - POLICY

4 -DESIRABLE EMPLOYMENT TRIBUNAL MEASURES

EOC Final Recommendation	RRA parallels	DDA parallels	Comment
14 Employment tribunals should have the power to identify and limit the issues in a case with the parties and an independent expert. This would be agreed at the beginning of the hearing	No	No	<u>Accept.</u> This would be a helpful way of simplifying and speeding up equal pay cases.
15 Tribunals should be required to rule on the question of "equal value" before they hear an employer's defence	No	No	<u>Accept.</u> Otherwise the employer tries to justify and evade the independent assessment.
16 The "no reasonable grounds" defence allows traditional stereotypes and attitudes to go unchallenged. The defence is an unfair bar to an equality claim and should be abolished.	No	No	<u>Accept.</u> This was accepted in principle by the previous administration but a legislative slot was never secured to make the change. Similar to above.
17 In sex discrimination cases the tribunal should be able to order reinstatement, re-engagement, appointment or promotion	Yes	Yes	<u>Partially accept.</u> The Tribunal can order re-instatement or re-engagement now in unfair dismissal cases. If someone is unemployed due to untenable sex discrimination similar redress seems desirable. However, extending the power to enable the tribunal to order appointment or promotion has practical problems - eg an employer may already have recruited a replacement and so such action might displace another employee. Compensation is adequate here.
18 An employment tribunal should be able to order that a respondent take the action needed to end the discrimination of the person bringing the complaint and anyone else who might be affected.	Yes	Yes	<u>Consider further</u> The principle may be acceptable as far as the applicant is concerned but there are concerns that tribunals might be given the power to make an order in respect of someone who is not a party to the proceedings. Some argue that the prospect of further tribunal claims acts as an incentive for employers to take the necessary action in respect of other employees. However others doubt whether this "threat" is sufficient.

RESTRICTED - POLICY

EOC final recommendation	RRA parallels	DDA parallels	Comments
19 The time limit for issuing a questionnaire under s74 of the SDA should be extended from 3 to 4 weeks after making a formal complaint.	Yes	Yes	<u>Accept.</u> Many people are still unsure of their rights and what action they want to take or how to take it.
20 Respondents should be required to reply to a S74 questionnaire within 8 weeks of its date of issue. Where they do not, the tribunal should be required to draw an inference that the respondents are refusing to apply, or any other inference the tribunal believes is appropriate.	Yes	Yes	<u>Accept.</u> Delays in employers' response to the SD74 questionnaire build in delay to the tribunal hearing and can leave the applicant without sufficient evidence to make their case effectively.

5 DESIRABLE SEX EQUALITY MEASURES WITH NO RACE OR DISABILITY PARALLEL

EOC final recommendation	RRA parallels	DDA parallels	Comments
21 The new statute should cover all private members' clubs which have admitted both sexes to some membership category and where some club facilities and services have been available to both men and women during the previous two years.	No	No	<u>Accept.</u> Its intention is to eliminate sex discrimination within clubs that already admit both sexes, but make women "second class" members. The recommendation would <u>not</u> outlaw single-sex clubs..
22 The exception in S.44 of the SDA should no longer permit exclusions of young people of school age from competing in any sport, game or other competitive activity (S44 allows discrimination where an average woman's physique would put her at a disadvantage compared to the average man).	No	No	<u>Incline to accept?</u> DCMS officials think there may be some Ministerial support for this but the FA is firmly against. Current DfEE policy line for sport in schools is that in delivering the PE curriculum, teachers should use their professional judgement to ensure that all pupils are taught at a level which is appropriate to their age, gender, ability, size and physical development.

RESTRICTED - POLICY

EOC final recommendation	RRA parallels	DDA parallels	Comments
<p>23 The new statute should clearly prohibit sexual harassment in employment, education and training and the promotion of goods, facilities and services. It should use the European Commission's definition of sexual harassment</p>	<p>Yes</p>	<p>Yes</p>	<p><u>Consider further?</u> Under existing law sexual harassment and harassment on grounds of disability can be judged to be a detriment and merit compensation at Tribunal. Legal change is not essential. But sexual harassment remains a major cause of workplace disadvantage and the protection available is not visible to individuals and the vicarious liability of employers is unclear. As a compromise a Code of Practice, possibly covering race, sex and disability, might be a helpful step in enlightening employers about their responsibilities</p>

RESTRICTED - POLICY

B - RECOMMENDATIONS NOT TO BE TAKEN FORWARD THROUGH EARLY LEGISLATION

B1 - RECOMMENDATIONS THAT HAVE NO RACE OR DISABILITY PARALLELS

Final EOC Recommendation	RRA parallels	DDA parallels	Comments
24 The Sex Discrimination Act 1975, Equal Pay Act 1970 and other relevant laws should be replaced by a new statute	No	No	Reject. This proposal is not fully justified, would not necessarily lead to simpler legislation, and would remove helpful and familiar case law.
25 Employment tribunals should be allowed to recommend changes to a collective agreement. The recommendations would be negotiated with the help of the Central Arbitration Committee (CAC), or a similar body	?	?	Reject? DTI are very reluctant to accept this proposal. They argue that the CAC's will be absorbed with issues to do with TU representation and any additional workload would be unwelcome. In any event there is some read-across with the outcome of the LCD review into class action.
26 The CAC, or similar body, should have the power to decide if a collective agreement or pay structure discriminates against women or men. Any interested party, including the EOC, should be allowed to ask for such a decision to be made.	?	?	Reject? See above
27 The insurance exception in the current law should be repealed (ie discriminatory treatment should no longer be justifiable by general actuarial data)	No	Yes	Likely to reject. Matter needs further consideration by HMT but they have shown little enthusiasm so far for such a move. DRTF have accepted the case for special treatment for insurance for disabled people.
28 The exception for married couples in s7(2)(h) of the SDA should be repealed (an employer can require a married couple)	No	No	Low priority. Many catering or live-in jobs especially require married couples. Repeal may not sit easily with current policy in support of marriage

RESTRICTED - POLICY

B2 - RECOMMENDATIONS DEPENDENT UPON OUTCOME OF CURRENT OGD POLICY REVIEWS AND ACTION

29 Group or representative actions should be allowed	Yes	Yes	LCD currently undertaking a review of class and representative actions.
30 The employment tribunal should be empowered to make <u>general</u> findings of discrimination where appropriate (ie the case goes beyond the individual)	Yes	Yes	As above.
31 The employment tribunal should be empowered to make the EOC a party to the proceedings where it appears likely that a general finding may be appropriate	Yes	Yes	As above
32 An employment tribunal should be able to order that a respondent take the action needed to end the discrimination of the person bringing the complaint and anyone else who might be affected.	Yes?	Yes	As above
33 The law should provide maternity leave for 18 weeks	No	No	Accept. DTI lead. This is being taken forward in the Fairness to Work regulations
34 The whole of the period of statutory maternity leave should be paid at the current rate of Statutory Maternity Pay	No	No	Reject. DTI lead. Reject on grounds of cost
35 A contract of employment should continue throughout statutory maternity leave.	No	No	Broadly accept. DTI lead and are taking forward in the Fairness to Work regulations. Case law has largely established this, and also that it excludes elements of the contract relating to pay.
36 The qualifying period for the longer period of maternity absence should be reduced to one year	No	No	Accept. DTI are taking forward in the Fairness to Work regulations
37 The procedure for taking maternity leave should be simplified	No	No	Broadly accept. This is the aim of DTI's measures under the Fairness to Work regulations

RESTRICTED - POLICY

38 Ten days of statutory paternity leave should be introduced, paid at the current rate of Statutory Maternity Pay	No	No	Reject. The Fairness at Work regulations will implement the Parental Leave Directive. That gives each parent the right to take leave. Policy line is that although we would encourage employers to offer paternity leave, to require them to do so by law would be a step too far and place unnecessary burdens on them.
39 Armed Forces The exception based on 'combat effectiveness' should be repealed	No	Yes	Unlikely to accept. MOD have consistently strongly opposed such a proposal, and are contesting an ECJ case to force them to accept a woman Marine.
40 The exception in respect of cadet training corps should be repealed.	No	Yes	Unlikely to accept. See above

B3 - RECOMMENDATIONS THAT COULD BE TAKEN FORWARD THROUGH NON-LEGISLATIVE ACTION

Recommendation	RRA parallels	DDA parallels	Comments
41 Whenever a new law is proposed, the Minister responsible must make sure the new measure is consistent with the Sex Equality Act and make public the analysis.	Yes	Yes	Partially accept principle. This recommendation reflect the situation that now applies under the Human Rights Act, with the requirement that Ministers confirm that any new law conforms with the HRA. The Government's mainstreaming guidance aims to produce the same effect. It is not clear that all government departments would support a legal requirement in this area.
42 There should be legal protection against discrimination for lesbians and gay men. The Government should study the question, consult people who would be affected and decide the best way to protect lesbians and gay men from discrimination	No	No	Reject early legislation. May be that a Code of Practice in the first instance would appear an appropriate first step. However, the Better Regulation Task Force's report is likely to assert that there is a gap in the law here, which will increase calls from the lobby.
43 The Government should carefully examine positive discrimination in the lead up to the UK's ratification of the Amsterdam Treaty.	Yes	Yes	Possibly accept. This recommendation does not commit the Government to positive discrimination. The situation at European level remains unclear and depends to a great degree on the result of a series of ECJ cases. Positive discrimination is not unlawful under the DDA.

RESTRICTED - POLICY

EOC Final Recommendation	RRA parallels	DDA parallels	Comments
44 The detailed proposals on tribunal procedures and independent experts suggested by the tribunal in <i>Lawson v South Tees District Health Authority</i> should be adopted. These proposals include a preliminary hearing for equal value cases and the requirement for an independent expert to draw up job descriptions of both the applicant's and comparator's jobs	No	No	<u>Accept.</u> This proposal relates to employment tribunal procedures in equal pay cases. It is not necessary to make a legislative change as the matter can be dealt with through instructions to tribunal chairs.
45 Employment tribunal hearings should be time-limited	Yes	Yes	<u>Partially accept</u> Guidance to tribunal Chairman might draw greater attention to the need to expedite matters, whilst not at the expense of justice.
46 Employers (with the exception of private households) should be required to monitor their workforce in terms of gender, job-title or grade and rates of pay on an annual basis	Yes	Yes	<u>Reject requirement - accept principle.</u> A legislative requirement would place unacceptable burdens on employers at this stage and run counter to the Better Regulation Task Force recommendation. However, the EOC's Code of Practice might be more widely promoted, and the government should continue to support monitoring. Difficulties in monitoring disability - categories, sensitivity, changes - well known. But if Home Office pursue for race, DfEE would wish consistency.
47 Employers should be required to give information obtained via monitoring to employees, employees' representatives and the EOC if it is asked for.	Yes	Yes	<u>Reject requirement - accept principle.</u> See comments above.

RESTRICTED - POLICY

EOC Final Recommendation	RRA parallels	DDA Parallels	Comment
48 Any contractor seeking a contract or financial aid from central or local government or from any publicly funded organisation should be required to show that they monitor their workforce in terms of gender, job-title or grade, and rate of pay on an annual basis, and that they should give information obtained by monitoring to their employees, employees' representatives and the EOC as requested.	Yes	Yes	<u>Reject legal requirement.</u> HMT and DETR are firmly against contract compliance in principle and also point out that it may be in breach of European law. DETR Bill will remove the specific ban on equal opportunities as a "non-commercial matter", which is helpful. Plan is that LAs will be as free as central Govt. to take human resource issues into account. Changes in "Best Value" guidelines are also helpful.
49 Volunteers should be protected against discrimination by the organisation for which they do voluntary work. The organisation should have the same duties towards them as they do towards anyone working under a formal contract of employment	Yes	Yes	<u>Accept principle but not legal requirement.</u> Keen to see fair treatment for volunteers, particularly considering their increasing role in providing services and work experience. However, there are practical difficulties in framing law in this area (eg no contract of employment). "Nanny state" concerns. A Code of Practice (covering sex, race and disability) seems a sensible first step. DRTF likely to recommend underpinning regulations which could in due course bring volunteers into coverage.
50 The new statute should define the circumstances in which it would be unlawful for the employer of volunteers to discriminate	Yes	Yes	See above
51 The Secretary of State should be required to ensure that all Departments, when collecting and publishing statistics, should break them down by sex	Yes	Yes	<u>Accept in principle.</u> The Office for National Statistics has already committed itself to producing gender-disaggregated statistics wherever possible and within financial limits. The case against Departmental level disaggregated statistics is therefore weak. Statistical breakdown on the basis of disability is however more complex.

RESTRICTED - POLICY

B4 -Other Recommendations that are unacceptable

EOC Final Recommendation	RRA parallels	DDA parallels	Comments
52 The new statute should incorporate European Community law	No	No	Reject. There are already mechanisms for incorporating EU Directives and rulings in UK law. This recommendation is unnecessary and impractical, given that EU law is constantly developing.
53 The new statute should be based on the Principle of Equal Treatment which guarantees freedom from discrimination on grounds of sex, pregnancy, marital status, family status and gender reassignment.	No	No	Reject This proposal falls as there will be no new statute, and is anyway contrary to UK law systems. The suggested extended ground of discrimination to family and marital status would have unwanted complicating implications for other areas of policy. The ground of gender reassignment is already being addressed through the forthcoming regulations.
54 The Principle of Equal Treatment should apply to employment, training, education, the provision of goods and services. It should also apply to the disposal and management of property and in all dealings between the citizen and the State and public authorities	No	No	Reject This proposal falls because there will be no new statute.
55 When victimisation has been proved, there should be an automatic penalty as well as any award of compensation	Yes	Yes	Reject There appears to be no justification for such an automatic penalty. This approach is used in criminal rather than civil law and would not sit with the civil approach that applies to all other parts of sex discrimination law.

RESTRICTED - POLICY

EOC Formal Recommendation	RRA parallels	DDA parallels	Comment
56 The possible penalties for not following the requirement to monitor the workforce and disseminate the information gathered should be the subject of detailed consultation; the penalties should be similar to those in other legislation such as the Minimum Wage Act 1998.	Yes	Yes	<u>Reject.</u> It is the principle of monitoring that might be acceptable. Discussion of penalties for non-compliance are premature, and call into question the right of the individual to refuse to complete a questionnaire. The Low Pay Commission is already to monitor the impact of the Minimum Wage by gender.
57 Employers should be required to produce for inspection by the EOC on demand their monitoring records			<u>Reject.</u> See comments on recommendation 4 above
58 The EOC should be given a general power to bring legal proceedings in its own name where it believes a discriminatory act has taken place or a discriminatory practice exists	Yes	Yes	<u>Reject</u> The Government is currently resisting similar proposal for the DRC Bill.
59 Complaints of discrimination in education and consumer affairs should be transferred to the employment tribunals	Yes	Yes	<u>Reject.</u> Employment tribunals are not designed to deal with consumer or education issues.
60 The time limit for issuing an originating application in sex discrimination cases should be extended from 3 months to 6 months	Yes	Yes	<u>Reject.</u> DTI are firmly against this proposal and a Tribunal can anyway ignore the time limit in the interests of justice.
61 Claims of sex, race and disability discrimination and equal pay should be heard by tribunal Chairs drawn from lists of specialists in discrimination law	Yes	Yes	<u>Reject.</u> DTI view is that all tribunal chairs and lay members are trained to a common standard on sex discrimination.

DTI: Employment Tribunal
opening up commitment to
sex select.

29 Jan

to get 7 amers + EMT

Chris Hahn

letter.

50: Culture
Tug.

RRA: cover all public services

NI: Stat. Obligⁿ on public sector
≠ cover individual
discⁿ

→ civil service
public sector
↳ scope: sexual age

↳ original structure
- size equalityⁿ

↳ by dens on business
monitoring what will work

↳ same rules
for everyone

sex
religion
age
dependents
disability
sexual orientation

— single
equality
Commission
↓
full extent
of monitoring
extension
of monitoring
(even if
no
evidence
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Howley
writes

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EOC Final Recommendation	RRA parallels	DDA parallels	Comments
7 The EOC should be allowed to accept legally binding commitments from people and organisations who have agreed to make the necessary changes, instead of issuing a non-discrimination notice.	Yes	Yes	" "
8 The law should clarify S75 of the SDA in the context of EC law, the ECHR and the HRA. (S75 allows the EOC to help individuals with their case)	Yes	Yes	Partially accept. The EOC should be able to take cases under the HRA (Human Rights Act). The Government is committed to considering similar powers for the DRC - however there are legal concerns associated with this. Officials are investigating.

3 - EU RELATED MEASURES WHERE IMPLEMENTATION IS ESSENTIAL

Recommendation	RRA parallels	DDA parallels	Comments
9 The new statute should ensure the burden of proof in discrimination cases meets the requirements of the EC Council Directive on the Burden of Proof. When someone presents facts which suggest they have faced direct or indirect discrimination, the respondent must prove that there has been no breach of the principle of equal treatment.	Yes	Probably	Accept. Consistency between sex and race legislation is important so that the same rules apply for sex and race cases in tribunal proceedings. The Burden of Proof Directive applies only to employment situations and not to the broader provisions of the sex equality law dealing with goods, facilities and services. We would retain this distinction.
10 The new statute should define the terms 'direct' and 'indirect' discrimination on the face of the SDA	Yes	Probably	Accept. This would provide useful clarification of the terms. An amendment to the definition of indirect discrimination is required as part of the implementation of the Burden of Proof Directive (see below). However, the DDA does not incorporate the concept of indirect discrimination and further consideration is required.

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EOC Final Recommendation	RRA parallels	DDA parallels	Comment
<p>11 The new statute should incorporate the definition of indirect discrimination contained in the Council Directive on the Burden of Proof , with two changes: it should extend to 'policy' as well as 'provision, criterion or practice' and the phrase "substantially higher proportion" should be replaced by "disproportionate number"</p>	<p>Yes</p>	<p>No</p>	<p>Partially accept. See above. The definition agreed in the Burden of Proof Directive is " Indirect discrimination exists where an apparently neutral provision, criterion or practice disadvantages a substantially higher proportion of the members of one sex, unless that provision, criterion or practice is appropriate and necessary and can be justified by objective factors unrelated to sex". This wording took nine years to agree. Extending it goes beyond our EC obligations and the EOC's recommendation introduces an ill-defined term. HO also want to adopt the Directive's definition rather than one proposed by the CRE that was even wider than the EOC's proposal.</p>
<p>12 When someone presents facts which suggest they have been victimised for claiming their legal rights, the respondent should prove that victimisation has not taken place.</p>	<p>Yes</p>	<p>Yes</p>	<p>Accept. Once there is a prima facie case, this requirement on the employer changes the burden of proof. Is already happening in Tribunals.</p>
<p>13 Protection should be extended to ex-employees as well as current employees</p>	<p>Yes</p>	<p>Yes</p>	<p>Partially Accept. The principle was ruled recently by the European Court of Justice ruling. Some parameters would need defining.</p>

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4 -DESIRABLE EMPLOYMENT TRIBUNAL MEASURES

EOC Final Recommendation	RRA parallels	DDA parallels	Comment
14 Employment tribunals should have the power to identify and limit the issues in a case with the parties and an independent expert. This would be agreed at the beginning of the hearing	No	No	Accept. This would be a helpful way of simplifying and speeding up equal pay cases.
15 Tribunals should be required to rule on the question of "equal value" before they hear an employer's defence	No	No	Accept. Otherwise the employer tries to justify and evade the independent assessment.
16 The "no reasonable grounds" defence allows traditional stereotypes and attitudes to go unchallenged. The defence is an unfair bar to an equality claim and should be abolished.	No	No	Accept. This was accepted in principle by the previous administration but a legislative slot was never secured to make the change. Similar to above.
17 In sex discrimination cases the tribunal should be able to order reinstatement, re-engagement, appointment or promotion	Yes	Yes	Partially accept. The Tribunal can order re-instatement or re-engagement now in unfair dismissal cases. If someone is unemployed due to untenable sex discrimination similar redress seems desirable. However, extending the power to enable the tribunal to order appointment or promotion has practical problems - eg an employer may already have recruited a replacement and so such action might displace another employee. Compensation is adequate here.
18 An employment tribunal should be able to order that a respondent take the action needed to end the discrimination of the person bringing the complaint and anyone else who might be affected.	Yes	Yes	Consider further The principle may be acceptable as far as the applicant is concerned but there are concerns that tribunals might be given the power to make an order in respect of someone who is not a party to the proceedings. Some argue that the prospect of further tribunal claims acts as an incentive for employers to take the necessary action in respect of other employees. However others doubt whether this "threat" is sufficient.

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EOC final recommendation	RRA parallels	DDA parallels	Comments
19 The time limit for issuing a questionnaire under s74 of the SDA should be extended from 3 to 4 weeks after making a formal complaint.	Yes	Yes	Accept. Many people are still unsure of their rights and what action they want to take or how to take it.
20 Respondents should be required to reply to a S74 questionnaire within 8 weeks of its date of issue. Where they do not, the tribunal should be required to draw an inference that the respondents are refusing to apply, or any other inference the tribunal believes is appropriate.	Yes	Yes	Accept. Delays in employers' response to the SD74 questionnaire build in delay to the tribunal hearing and can leave the applicant without sufficient evidence to make their case effectively.

5 DESIRABLE SEX EQUALITY MEASURES WITH NO RACE OR DISABILITY PARALLEL

EOC final recommendation	RRA parallels	DDA parallels	Comments
21 The new statute should cover all private members' clubs which have admitted both sexes to some membership category and where some club facilities and services have been available to both men and women during the previous two years.	No	No	Accept. Its intention is to eliminate sex discrimination within clubs that already admit both sexes, but make women "second class" members. The recommendation would <u>not</u> outlaw single-sex clubs..
22 The exception in S.44 of the SDA should no longer permit exclusions of young people of school age from competing in any sport, game or other competitive activity (S44 allows discrimination where an average woman's physique would put her at a disadvantage compared to the average man).	No	No	Incline to accept? DCMS officials think there may be some Ministerial support for this but the FA is firmly against. Current DfEE policy line for sport in schools is that in delivering the PE curriculum, teachers should use their professional judgement to ensure that all pupils are taught at a level which is appropriate to their age, gender, ability, size and physical development.

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EOC final recommendation	RRA parallels	DDA parallels	Comments
<p>23 The new statute should clearly prohibit sexual harassment in employment, education and training and the promotion of goods, facilities and services. It should use the European Commission's definition of sexual harassment</p>	<p>Yes</p>	<p>Yes</p>	<p>Consider further? Under existing law sexual harassment and harassment on grounds of disability can be judged to be a detriment and merit compensation at Tribunal. Legal change is not essential. But sexual harassment remains a major cause of workplace disadvantage and the protection available is not visible to individuals and the vicarious liability of employers is unclear. As a compromise a Code of Practice, possibly covering race, sex and disability, might be a helpful step in enlightening employers about their responsibilities</p>

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B - RECOMMENDATIONS NOT TO BE TAKEN FORWARD THROUGH EARLY LEGISLATION

B1 - RECOMMENDATIONS THAT HAVE NO RACE OR DISABILITY PARALLELS

Final EOC Recommendation	RRA parallels	DDA parallels	Comments
24 The Sex Discrimination Act 1975, Equal Pay Act 1970 and other relevant laws should be replaced by a new statute	No	No	Reject. This proposal is not fully justified, would not necessarily lead to simpler legislation, and would remove helpful and familiar case law.
25 Employment tribunals should be allowed to recommend changes to a collective agreement. The recommendations would be negotiated with the help of the Central Arbitration Committee (CAC), or a similar body	?	?	Reject? DTI are very reluctant to accept this proposal. They argue that the CAC's will be absorbed with issues to do with TU representation and any additional workload would be unwelcome. In any event there is some read-across with the outcome of the LCD review into class action.
26 The CAC, or similar body, should have the power to decide if a collective agreement or pay structure discriminates against women or men. Any interested party, including the EOC, should be allowed to ask for such a decision to be made.	?	?	Reject? See above
27 The insurance exception in the current law should be repealed (ie discriminatory treatment should no longer be justifiable by general actuarial data)	No	Yes	Likely to reject. Matter needs further consideration by HMT but they have shown little enthusiasm so far for such a move. DRTF have accepted the case for special treatment for insurance for disabled people.
28 The exception for married couples in s7(2)(h) of the SDA should be repealed (an employer can require a married couple)	No	No	Low priority. Many catering or live-in jobs especially require married couples. Repeal may not sit easily with current policy in support of marriage

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B2 - RECOMMENDATIONS DEPENDENT UPON OUTCOME OF CURRENT OGD POLICY REVIEWS AND ACTION

29 Group or representative actions should be allowed	Yes	Yes	LCD currently undertaking a review of class and representative actions.
30 The employment tribunal should be empowered to make <u>general</u> findings of discrimination where appropriate (ie the case goes beyond the individual)	Yes	Yes	As above.
31 The employment tribunal should be empowered to make the EOC a party to the proceedings where it appears likely that a general finding may be appropriate	Yes	Yes	As above
32 An employment tribunal should be able to order that a respondent take the action needed to end the discrimination of the person bringing the complaint and anyone else who might be affected.	Yes?	Yes	As above
33 The law should provide maternity leave for 18 weeks	No	No	Accept. DTI lead. This is being taken forward in the Fairness to Work regulations
34 The whole of the period of statutory maternity leave should be paid at the current rate of Statutory Maternity Pay	No	No	Reject. DTI lead. Reject on grounds of cost
35 A contract of employment should continue throughout statutory maternity leave.	No	No	Broadly accept. DTI lead and are taking forward in the Fairness to Work regulations. Case law has largely established this, and also that it excludes elements of the contract relating to pay.
36 The qualifying period for the longer period of maternity absence should be reduced to one year	No	No	Accept. DTI are taking forward in the Fairness to Work regulations
37 The procedure for taking maternity leave should be simplified	No	No	Broadly accept. This is the aim of DTI's measures under the Fairness to Work regulations

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38 Ten days of statutory paternity leave should be introduced, paid at the current rate of Statutory Maternity Pay	No	No	Reject. The Fairness at Work regulations will implement the Parental Leave Directive. That gives each parent the right to take leave. Policy line is that although we would encourage employers to offer paternity leave, to require them to do so by law would be a step too far and place unnecessary burdens on them.
39 Armed Forces The exception based on 'combat effectiveness' should be repealed	No	Yes	Unlikely to accept. MOD have consistently strongly opposed such a proposal, and are contesting an ECJ case to force them to accept a woman Marine. <i>Why?</i>
40 The exception in respect of cadet training corps should be repealed.	No	Yes	Unlikely to accept. See above

B3 - RECOMMENDATIONS THAT COULD BE TAKEN FORWARD THROUGH NON-LEGISLATIVE ACTION

Recommendation	RRA parallels	DDA parallels	Comments
41 Whenever a new law is proposed, the Minister responsible must make sure the new measure is consistent with the Sex Equality Act and make public the analysis.	Yes	Yes	Partially accept principle. This recommendation reflect the situation that now applies under the Human Rights Act, with the requirement that Ministers confirm that any new law conforms with the HRA. The Government's mainstreaming guidance aims to produce the same effect. It is not clear that all government departments would support a legal requirement in this area.
42 There should be legal protection against discrimination for lesbians and gay men. The Government should study the question, consult people who would be affected and decide the best way to protect lesbians and gay men from discrimination	No	No	Reject early legislation. May be that a Code of Practice in the first instance would appear an appropriate first step. However, the Better Regulation Task Force's report is likely to assert that there is a gap in the law here, which will increase calls from the lobby.
43 The Government should carefully examine positive discrimination in the lead up to the UK's ratification of the Amsterdam Treaty.	Yes	Yes	Possibly accept. This recommendation does not commit the Government to positive discrimination. The situation at European level remains unclear and depends to a great degree on the result of a series of ECJ cases. Positive discrimination is not unlawful under the DDA.

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EOC Final Recommendation	RRA parallels	DDA parallels	Comments
44 The detailed proposals on tribunal procedures and independent experts suggested by the tribunal in <i>Lawson v South Tees District Health Authority</i> should be adopted. These proposals include a preliminary hearing for equal value cases and the requirement for an independent expert to draw up job descriptions of both the applicant's and comparator's jobs	No	No	Accept. This proposal relates to employment tribunal procedures in equal pay cases. It is not necessary to make a legislative change as the matter can be dealt with through instructions to tribunal chairs.
45 Employment tribunal hearings should be time-limited	Yes	Yes	Partially accept Guidance to tribunal Chairman might draw greater attention to the need to expedite matters, whilst not at the expense of justice.
46 Employers (with the exception of private households) should be required to monitor their workforce in terms of gender, job-title or grade and rates of pay on an annual basis	Yes	Yes	Reject requirement - accept principle. A legislative requirement would place unacceptable burdens on employers at this stage and run counter to the Better Regulation Task Force recommendation. However, the EOC's Code of Practice might be more widely promoted, and the government should continue to support monitoring. Difficulties in monitoring disability - categories, sensitivity, changes - well known. But if Home Office pursue for race, DfEE would wish consistency.
47 Employers should be required to give information obtained via monitoring to employees, employees' representatives and the EOC if it is asked for.	Yes	Yes	Reject requirement - accept principle. See comments above.

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EOC Final Recommendation	RRA parallels	DDA Parallels	Comment
<p>48 Any contractor seeking a contract or financial aid from central or local government or from any publicly funded organisation should be required to show that they monitor their workforce in terms of gender, job-title or grade, and rate of pay on an annual basis, and that they should give information obtained by monitoring to their employees, employees' representatives and the EOC as requested.</p>	<p>Yes</p>	<p>Yes</p>	<p>Reject legal requirement. HMT and DETR are firmly against contract compliance in principle and also point out that it may be in breach of European law. DETR Bill will remove the specific ban on equal opportunities as a "non-commercial matter", which is helpful. Plan is that LAs will be as free as central Govt. to take human resource issues into account. Changes in "Best Value" guidelines are also helpful.</p>
<p>49 Volunteers should be protected against discrimination by the organisation for which they do voluntary work. The organisation should have the same duties towards them as they do towards anyone working under a formal contract of employment</p>	<p>Yes</p>	<p>Yes</p>	<p>Accept principle but not legal requirement. Keen to see fair treatment for volunteers, particularly considering their increasing role in providing services and work experience. However, there are practical difficulties in framing law in this area (eg no contract of employment). "Nanny state" concerns. A Code of Practice (covering sex, race and disability) seems a sensible first step. DRTF likely to recommend underpinning regulations which could in due course bring volunteers into coverage.</p>
<p>50 The new statute should define the circumstances in which it would be unlawful for the employer of volunteers to discriminate</p>	<p>Yes</p>	<p>Yes</p>	<p>See above</p>
<p>51 The Secretary of State should be required to ensure that all Departments, when collecting and publishing statistics, should break them down by sex</p>	<p>Yes</p>	<p>Yes</p>	<p>Accept in principle. The Office for National Statistics has already committed itself to producing gender-disaggregated statistics wherever possible and within financial limits. The case against Departmental level disaggregated statistics is therefore weak. Statistical breakdown on the basis of disability is however more complex.</p>

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B4 -Other Recommendations that are unacceptable

EOC Final Recommendation	RRA parallels	DDA parallels	Comments
52 The new statute should incorporate European Community law	No	No	Reject. There are already mechanisms for incorporating EU Directives and rulings in UK law. This recommendation is unnecessary and impractical, given that EU law is constantly developing.
53 The new statute should be based on the Principle of Equal Treatment which guarantees freedom from discrimination on grounds of sex, pregnancy, marital status, family status and gender reassignment.	No	No	Reject This proposal falls as there will be no new statute, and is anyway contrary to UK law systems. The suggested extended ground of discrimination to family and marital status would have unwanted complicating implications for other areas of policy. The ground of gender reassignment is already being addressed through the forthcoming regulations.
54 The Principle of Equal Treatment should apply to employment, training, education, the provision of goods and services. It should also apply to the disposal and management of property and in all dealings between the citizen and the State and public authorities	No	No	Reject This proposal falls because there will be no new statute.
55 When victimisation has been proved, there should be an automatic penalty as well as any award of compensation	Yes	Yes	Reject There appears to be no justification for such an automatic penalty. This approach is used in criminal rather than civil law and would not sit with the civil approach that applies to all other parts of sex discrimination law.

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EOC Formal Recommendation	RRA parallels	DDA parallels	Comment
56 The possible penalties for not following the requirement to monitor the workforce and disseminate the information gathered should be the subject of detailed consultation; the penalties should be similar to those in other legislation such as the Minimum Wage Act 1998.	Yes	Yes	Reject. It is the principle of monitoring that might be acceptable. Discussion of penalties for non-compliance are premature, and call into question the right of the individual to refuse to complete a questionnaire. The Low Pay Commission is already to monitor the impact of the Minimum Wage by gender.
57 Employers should be required to produce for inspection by the EOC on demand their monitoring records			Reject. See comments on recommendation 4 above
58 The EOC should be given a general power to bring legal proceedings in its own name where it believes a discriminatory act has taken place or a discriminatory practice exists	Yes	Yes	Reject The Government is currently resisting similar proposal for the DRC Bill.
59 Complaints of discrimination in education and consumer affairs should be transferred to the employment tribunals	Yes	Yes	Reject. Employment tribunals are not designed to deal with consumer or education issues.
60 The time limit for issuing an originating application in sex discrimination cases should be extended from 3 months to 6 months	Yes	Yes	Reject. DTI are firmly against this proposal and a Tribunal can anyway ignore the time limit in the interests of justice.
61 Claims of sex, race and disability discrimination and equal pay should be heard by tribunal Chairs drawn from lists of specialists in discrimination law	Yes	Yes	Reject. DTI view is that all tribunal chairs and lay members are trained to a common standard on sex discrimination.



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COVERING RESTRICTED

To all colleagues on the enclosed list

25 February 1999

**EOC RECOMMENDATIONS ON SEX EQUALITY LEGISLATION: PREPARING THE
GOVERNMENT'S RESPONSE**

INTERDEPARTMENTAL MEETING WEDNESDAY 3 MARCH, 10.00 AM

I refer to Bob Niven's letter of 8 February about a meeting to discuss the EOC's recommendations for amending the Sex Discrimination and Equal Pay Acts. The meeting will take place next Wednesday 3 March, Room LG24, Sanctuary Buildings, Great Smith St, SW1.

Attached are additional papers and a revised agenda for the meeting.

*Yours faithfully
Sandra Craig*

Sandra Craig
Sex & Race Equality Division

SEX EQUALITY LEGISLATION
EQUAL OPPORTUNITIES COMMISSION'S RECOMMENDATIONS

Department for Education and Employment
Sanctuary Buildings, Room LG 24
Great Smith Street
LONDON SW1P 3BT

WEDNESDAY 3 MARCH, 10:00 AM - 12:00 NOON

AGENDA

1. Introductions
2. Brief updates on state of play
 - DfEE - timetable and priorities for EOC recommendations
 - **See paper** "Development of the Government Response"
 - HO - CRE recommendations and Stephen Lawrence enquiry report
 - DfEE - Disability Rights Commission Bill and work of the Disability Rights Task Force
 - BRU - Better Regulation Task Force Review
 - NIO - Fair Employment and Treatment Legislation
 - DTI - Fairness at Work and Employment Relations Bill
 - LCD - class and representative legal action
3. Equal opportunities in the Public Domain
 - Duty on Public Bodies to promote equal opportunities
 - **see paper** "The Case for a Statutory Duty on Public Bodies to Promote Equality"
 - Public Appointments
 - **see paper** "Public Appointments"
4. Other EOC recommendations
5. Way forward and consultations

SEX EQUALITY LEGISLATION
EQUAL OPPORTUNITIES COMMISSION'S RECOMMENDATIONS

Department for Education and Employment
Sanctuary Buildings, Room LG 24
Great Smith Street
LONDON SW1P 3BT

WEDNESDAY 3 MARCH, 10:00 AM - 12:00 NOON

Chaired by Bob Niven DfEE

Colleagues attending

Sara Marshall	Home Office
Richard Davis	Home Office
Hugh Jones	Lord Chancellor's Department
Nicola Carter	Department of Trade and Industry
Ros McCarthy Ward	Department of Trade and Industry
Sarah Rhodes	Department of Trade and Industry
Margaret Mair	Women's Unit
Liz Hutchinson	Cabinet Office
Peter Richardson	Better Regulation Unit
Andrew Limb	Better Regulation Unit
Julian Mountfield	Better Government Unit
Lois Leeming	Office of Public Service
Sabine Mosner	Office of Public Service, Public Appointments Unit
Philip Rescorla	Department of Social Security
Rita Spicer	Department of Social Security
Garvin Bowen	DSS Family Support Policy
Andrew Tranham	Ministry of Defence
Pravina Amershi	Ministry of Defence
Miranda Carter	Department of the Environment, Transport and the Regions

Mike Williams	HM Treasury
Alison MacDonald	Office for National Statistics
Ros Saper & colleague	Department for Culture, Media and Sport Department for Culture, Media and Sport
Fiona Montgomery	Scottish Office
Dave Richards	Department for International Development
George O'Doherty	Northern Ireland Department of Economic Development
Margaret McCabe	Welsh Office
Elizabeth Al - Khalifa	NHS Executive

DfEE

Bob Niven
Jenny Eastabrook
Carol Davies
Donald Macrae
Margaret Scott
Di Cunliffe
Sandra Craig
Brian Tovey
Hardip Begol

¹ Revised 23/02/99

² 02/03/99

9. The case for a statutory duty is as follows:

Services + staff

i) it would signal the Government's commitment to further progress on equality and builds confidence that the Government is serious about tackling deep-rooted problems which remain, as evidenced by the Lawrence enquiry;

ii) it would secure a sustained shift in the relative priority and attention accorded to mainstreaming equality in policy development and service delivery which is not dependent on varying levels of commitment and energy of individual officials and Ministers;

iii) it would expose to public scrutiny judgements which are currently made privately (and often not explicitly) about the extent to which Departments put effort and resource into considering modifications to policy or service delivery to ameliorate adverse differential impact on particular groups. Examples might range from outreach to ensure Bangladeshi women have access to health screening, to fundamental questions about whether disabled people have equal access to education and transport services.

Scope/coverage

sexual orientation?

10. In principle the duty should apply in all dimensions of equality covered by legislation (gender, race, disability) and in all public bodies and in some private bodies carrying out public duties. It would be necessary to list them as is proposed by the Freedom of Information Bill. Two detailed issues will need further consideration:

i) should some bodies be exempted (as in Northern Ireland) if they can show their activities have no impact on equality?

ii) should there be different "tiers" of requirement eg all Departments and major agencies would be required to produce a full plan, along with Health Authorities, LEAs etc. Individual schools, prisons and hospitals might be required to produce something much simpler. For example, schools might simply be asked to analyse pupil achievement by gender and ethnicity and say what they were doing to close gaps.

11. There is an important link with a separate proposal in the legislative reviews to make clear that the RRA and SDA apply to the full range of Government activities, so overturning the 1980 *Amin* ruling by the Lords. The DRTF will certainly recommend a similar proposal in relation to disability legislation. The clear policy intent is to ensure the police and immigration service are covered but this is a complex area, especially if the duty to make reasonable adjustments for disabled people is applied. There could also be implications for tax and benefit policy if a parallel SDA amendment is made). The Home Office will be consulting Departments shortly.

Resource implications

12. If Government Departments and agencies are doing (or are preparing to do) mainstreaming effectively - as the Prime Minister has signalled they should - the

additional direct cost of the statutory requirement will be relatively modest and largely a result of the requirement to produce and publish a plan. The costs and benefits resulting from any different decisions eg to modify the way a service is delivered to secure better participation or outcomes for particular users will need to be considered as part of a wider evaluation of that service. The cost to public bodies such as schools will depend very much on how the requirement is simplified and the benefits will depend on the action taken.

Conclusion

13. Departments are invited to:

- i) Note the case for a statutory duty on public bodies to promote equality (paras 4-9)
- ii) Comment on the way it might be given practical effect and enforced (paras 6-8)
- iii) Comment on aspects of scope/coverage which will need further work.

DfEE
February 1999

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Public Appointments

Introduction

1. One of the EOC's recommendations would affect every Department, especially those with large numbers of public appointments. The EOC has recommended that *the [SDA] should extend to all public appointments (paid or unpaid) including judicial appointments*. DfEE (working in consultation with Cabinet Office and Home Office) recommend that it should broadly be accepted. The issues outlined below will fall to be dealt with.
2. We also recommend that the rather narrower recommendation be accepted: that *office holders should be protected from discrimination in appointment, terms and conditions, termination and any other detriment*.

Unclear legal position

3. Among the obscurities in the Sex Discrimination Act (combined with the EC Equal Treatment Directive) on public appointments are:
 - S85 of the SDA specifically exempts statutory appointments (though includes staff working for such appointees) but S86 of the SDA says that in making appointments, Ministers/Departments shall not do an act which would be unlawful if the Crown were the employer.
 - The Sex Discrimination Act 1975 (SDA) only applies to workers with employment contracts so to include the police (who are "office holders" and not employees) a special deeming provision applies
 - There is redress only via judicial review, which may be a vulnerability under the Equal Treatment Directive (ie does this constitute adequate legal redress?)
 - There are many different kinds of public appointment, from those equivalent to employment to those whose function is to be independent and therefore does not involve a "traditional" employer/employee relationship (eg the Commissioner for Public Appointments). Ministerial appointments but not Crown appointments are covered.
 - The line allowing "positive action" does not stretch to cover "positive discrimination" even in the presence of good motives (House of Lords).

Varying Policy Intentions

4. Ministerial public appointments are already required by the Commissioner for Public Appointments to adhere to good equal opportunities practice and to appoint on merit. Some tension is apparent between these principles and the flexibility which Ministers currently exercise to take account of the differing needs and balance, when making advisory appointments, typically from a shortlist of qualified candidates.
5. Appointment numbers and characteristics are under close public scrutiny. In June 1998, Ministers in Cabinet Office, Home Office and the Women's Unit announced a new target that 50% of those appointed to Departmental public appointments should be women, and that efforts would be made to increase the numbers of people with disabilities and from ethnic minorities.

Some tension is apparent between differing views as to whether Government commitment to widening representation is best served by setting targets.

Judicial appointments

6 The Lord Chancellor fully supports the EOC's view that the principle of selection on merit should be adopted for the appointment of judges. However, the constitutional position of the judiciary has a bearing on the EOC's recommendation. There is no employment relationship (in the usual sense) between the Lord Chancellor and the appointee and there is no conventional line management relationship between the different levels of the judiciary. A judge is an independent office holder appointed, depending on the level of appointment, by the Lord Chancellor or the Crown. Whether or not future legislation on the Sex Discrimination Act should make reference to judicial appointments will have to be given detailed consideration.

Action recommended

7 Given

- a) the current uncertainty of the law, which in itself shows Government in an undesirable light
- b) the longstanding, and developing policy intentions
- c) the Lawrence enquiry findings on the public sector

it is untenable presentationally to justify rejecting the EOC's proposals. This was the conclusion of relevant specialist officials at inter-Departmental meetings in September 1998, January and February 1999. However, officials indicated they wish to approach their Ministers for views.

8. Correspondence will shortly be instigated to allow Ministers' views to be taken, indicating some of the complexities mentioned above. A paper will indicate:

- doing nothing is not a recommended option, though it has the merit of allowing current flexibility
- a recommendation to amend the SDA to remove the exemption for statutory appointments
- some options to clarify which public appointments are included
- a recommendation to retain redress by judicial review (rather than by Employment Tribunal) but that the route - progressing via the OCPA - would need to be made clear.

DfEE

February 1999

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Equal Opportunities Commission's recommendations for changes to the sex equality legislation

Development of the Government response

1 This paper outlines DfEE's approach in taking in developing and taking forward its response to the EOC's recommendations for changes in the sex equality law.

Broad approach

2 DfEE Ministers are clear that:

a) they wish to approach the EOC's package of recommendations **from the perspective of the Government's agenda for equal opportunities** rather than allowing the detail of the package to drive Government action. This means addressing the questions of whether and/or how far the detailed proposals achieve practical change in key areas in sex equality where much remains to be done, specifically:

- equal pay
- promotion and progression including the glass ceiling
- family friendly working arrangements
- occupational segregation.

b) it is of the utmost importance to **maintain consistency**, wherever appropriate, **between the equality laws** to avoid uncertainty and potential confusion for business and the public sector. This has been the well established position as between sex and race, (although in some situations the position on disability differs).

Context

3 In developing the Government response we also need to take account of:

- the emerging Home Office view of the parallel CRE proposals and recommendations from the Stephen Lawrence Inquiry;
- progress on the establishment of the Disability Rights Commission, whose new powers will resemble those of the EOC;
- the Better Regulation Task Force Review of anti-discrimination legislation;
- progress of the "Fairness at Work" changes on maternity rights and parental rights;
- the consultation on family friendly practices linked to 'Supporting Families';
- the Modernising Government White Paper;
- discussions with the new EOC Chair.

Government response

4 Not surprisingly, given the nature of a legislative review, the EOC's focus is on extending and tightening the legislation. However Ministers' approach means that the

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Government's response need not cover the recommendations item by item. Also the context outlined above indicates that legislative changes over and above the EOC's recommendations will already be impacting on employers through the Minimum Wage Act and implementation of the Directives on Parental Leave, Part-Time Work and Working Time. DfEE Ministers have identified the following priorities for inclusion in a package of legislative proposals based on the EOC's recommendations:

- a duty on the public sector to promote equal opportunity (which may include workforce monitoring in the public sector). The separate paper sets out the case for action.
- Necessary EU updating, such as the definition of indirect discrimination, the formal shifting of the burden of proof already in practice in Tribunals and the coverage of victimisation of ex-employees (though these could be done by Regulations);
- Some of the technical improvements eg on the way equal value cases are dealt with at tribunals. There is widespread agreement that certain practical changes are needed to ensure women can pursue claims without undue complication or delay.
- Some measures to make the EOC's investigations more effective, adapting principles already agreed for the Disability Rights Commission.
- Extension of the SDA to a wider range of Government activities, depending on parallel Home Office proposals for the race equality legislation. This may involve explicit coverage of office-holders and overturning the Amin judgement.

The summary analysis already circulated gives further details.

5 Officials are also investigating the issues raised in the extension of the SDA to public appointments, and the EOC's recommendation to bring some private clubs (ie those who currently allow access to both sexes), within the scope of the Act. The latter is aimed at tackling one of the most common complaints made by women to the EOC.

The Way Forward

6 We intend to draw together a consultation package which covers both legislative and non-legislative action, either in hand or proposed. This balance is particularly important as far as influencing employers is concerned. Furthermore any proposed legislative action would be targeted, in the main, at the public sector. Non legislative action is likely to include a Code of Practice on harassment; awareness raising initiatives on family friendly employment practices; and improved information and advice provision for employers on the full breadth of equality issues. It may also cover protection for gays and lesbians although DfEE ministers consider that a code of practice covering employment issues only would be the most appropriate step at this stage, not legislation.

Timing

7 The consultation document will be published in the summer. The timing of any legislation will depend on securing a slot in the programme. DfEE ministers are keen that if early legislation is agreed in response to the Stephen Lawrence Inquiry then parallel measures, wherever appropriate, should be included to cover sex and disability.

SEX EQUALITY LEGISLATION
EQUAL OPPORTUNITIES COMMISSION'S RECOMMENDATIONS

Department for Education and Employment
Sanctuary Buildings, Room LG 24
Great Smith Street
LONDON SW1P 3BT

WEDNESDAY 3 MARCH, 10:00 AM - 12:00 NOON

AGENDA

- I. Introductions
- II. Update on Progress
 - DfEE - timetable and priorities for EOC recommendations (**paper to follow**)
 - HO - CRE recommendations and Stephen Lawrence enquiry report
 - NIO - Fairness Employment and Treatment Legislation
 - DTI - Fairness at Work and Employment Relations Bill
 - LCD - class and representative legal actions
 - DfEE - Disability Rights Commission Bill and work of the Disability Rights Task Force
- III. Duty on Public Sector to promote equal opportunities
 - prospective DfEE and HO paper to HS
- IV. Other EOC recommendations
- V. Way forward and consultation
- VI. AOB and future meetings

SEX EQUALITY LEGISLATION
EQUAL OPPORTUNITIES COMMISSION'S RECOMMENDATIONS

Department for Education and Employment
Sanctuary Buildings, Room LG 24
Great Smith Street
LONDON SW1P 3BT

WEDNESDAY 3 MARCH, 10:00 AM - 12:00 NOON

Chaired by Bob Niven DfEE

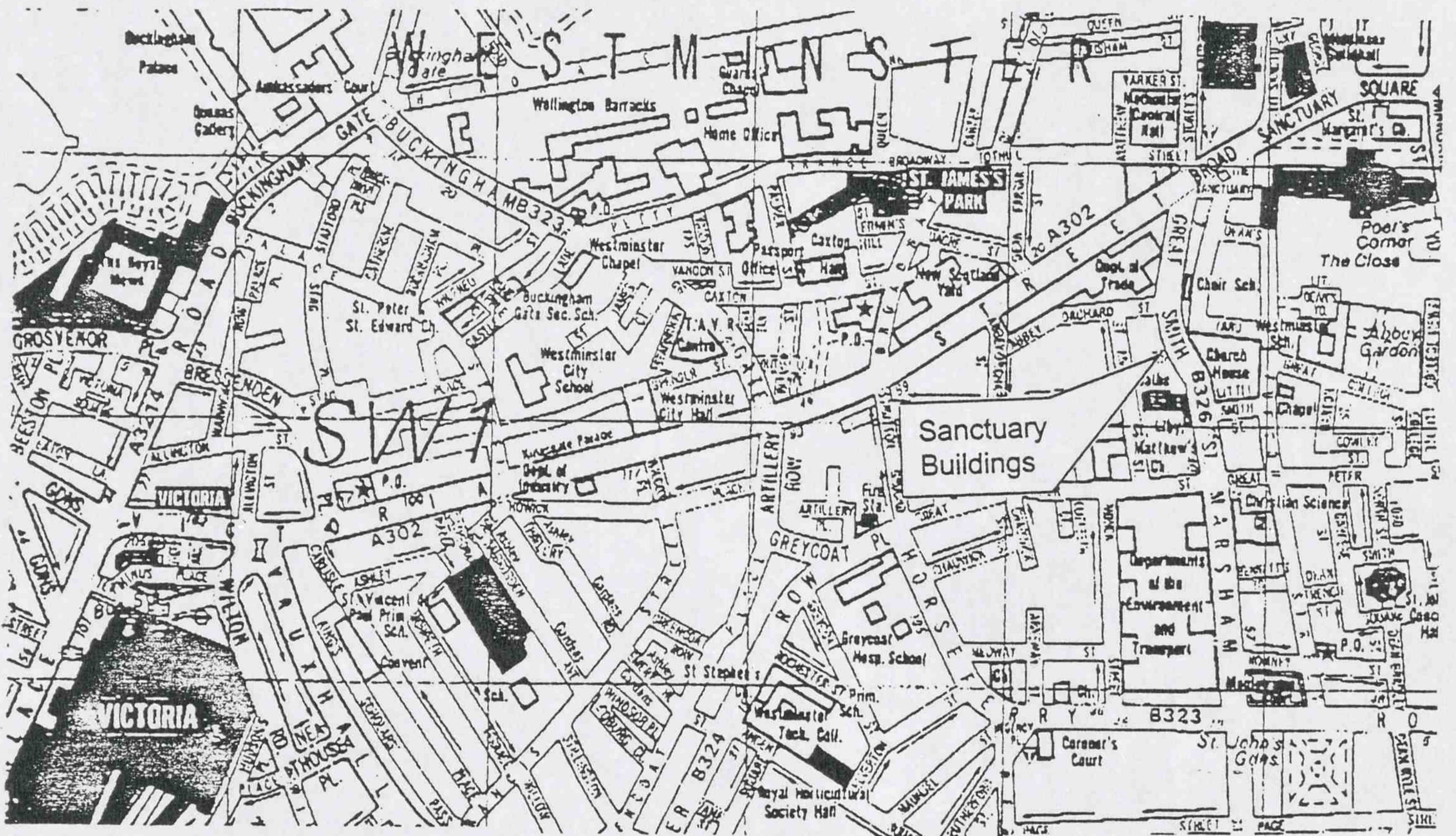
Colleagues invited

Carllton Young	Home Office
Richard Davies	Home Office
Hugh Jones	Lord Chancellor's Department
Nicola Carter	Department of Trade and Industry
Ros McCarthy Ward	Department of Trade and Industry
Mike Phillips	Department of Trade and Industry
Margaret Mair	Women's Unit
Sharon White	No 10, Policy Unit
John Elvidge	Cabinet Office
Lois Leeming	Office of Public Service
Sonia Phippard	Office of Public Service, Public Appointments Unit
Philip Rescorla	Department for Social Security
Rita Spicer	Department for Social Security
Carole Jones	Department for Social Security
Garvin Bowen	DSS Family Support Policy
Pat Anslow	Ministry of Defence
Andy Gray	Ministry of Defence
Miranda Carter	Department of the Environment, Transport and the Regions
Mike Williams	HM Treasury
Mary McCall	Office of National Statistics
Ruth Siemaszko & colleague	Department for Culture, Media and Sport Department for Culture, Media and Sport

Andrew MacLeod	Scottish Office
Dave Richards	Department for International Development
George O'Doherty	Northern Ireland Department of Economic Development
Margaret McCabe	Welsh Office
Elizabeth Al - Khalifa	NHS Executive

DfEE

Bob Niven
Jenny Eastabrook
Carol Davies
Margaret Scott
Di Cunliffe
Sandra Craig
Sophie Linden





Wle Top: EA/APS
Letter Only [EA/PS
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Press
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FROM THE LEADER OF THE HOUSE
HOUSE OF LORDS

4 February 1999

To all members of HS(W)

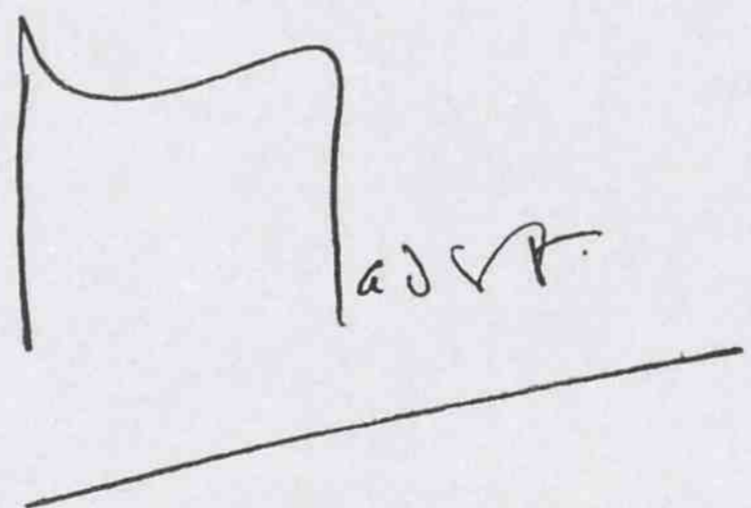
The Women's Unit has been working on the UK's fourth national report on the UN Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). The UK is a signatory to the Convention, which requires that member countries make a formal report on progress, every four years. The completed report has been forwarded to the UN, meeting their deadline of 15 January 1999.

The report is largely a retrospective record of progress made in the UK since the third report in July 1995. It covers all 16 Articles of the Convention which must be reported on and contains an enormous amount of detail covering all areas of life in the UK.

The completion of the report has only been possible due to the support and commitment given by officials in your own departments, who have worked closely with the Women's Unit over many months. They have provided the Women's Unit with an enormous amount of information, usually at short notice, and this has been greatly appreciated.

For your information, I have attached a short summary of the report together with a printed copy of the full report.

I am sending this letter to all HS(W) colleagues, Robin Cook and Sir Richard Wilson.



THE RT HON THE BARONESS JAY OF PADDINGTON
MINISTER FOR WOMEN

SKP 9/2/99

SUMMARY OF UK'S FOURTH NATIONAL REPORT ON THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

Introduction

This report follows the UN requirement that member states which ratify CEDAW, produce a national report on the Convention every four years. This report is the fourth produced by the United Kingdom. Past experience suggests that it will be the focus of attention both in the UK and internationally, for those with an interest in women's issues.

Contents of the report

The Convention has 30 Articles, of which 16 Articles must be addressed by the national report. The remainder deal with the procedures for reporting. The Convention aims to ensure that all areas of government are addressed.

In addressing the articles, it details changes which have taken place since 1995, but focuses on changes since May 1997. Each article includes information on Wales, Scotland and Northern Ireland and other issues on Devolution.

The article headings under which we must report are:

Article 1. Elimination of discrimination, covering :

- the definition of discrimination.

Article 2. Legal provisions, covering :

- an examination of the way in which the elimination of discrimination against women can be given a legislative basis;
- a summary of the legislative protection afforded women in the UK and Northern Ireland;
- a summary of new legislation introduced since the last report, including the Human Rights Act and the Crime & Disorder Act;
- a summary of forthcoming legislation, including the Fairness at Work Bill and the Youth Justice & Criminal Evidence Bill;
- a summary of mechanisms for implementation of the law; and
- a statistical analysis of both crimes committed by women, and women in prison.

Article 3. Elimination of discrimination, covering :

- a summary of measures to ensure the full development and advancement of women, including the Human Rights Act; an analysis of race, double disadvantage and women in employment; employment opportunities for disabled people in the UK; International Development.

Article 4. Temporary special measures, covering :

- an analysis of the types of measures permitted under positive action provisions and the use of targets.

Article 5. Stereotyping and prejudices, covering :

- Government-led initiatives to eliminate career stereotyping, including the National Curriculum, National Childcare Strategy and the White Paper on Science, Engineering & Technology;
- the portrayal of women in the media; and
- obscenity legislation and pornography.

Article 6. Exploitation of women, covering :

- the exploitation of women and children;
- sexual offences; and
- sex tourism.

Article 7. Women in politics and public life, covering :

- the White Paper, 'Modern Local Government: In touch with the People';
- women in the Civil Service, Local Authorities and Public Appointments; and
- women in the voluntary sector.

Article 8. Women as international representatives, covering :

- women in the diplomatic service and in defence; and
- the role of women in the international arena.

Article 9. Nationality, covering :

- immigration rules concerning marriage;
- overseas domestic workers; and
- refugees.

Article 10. Education, covering :

- the Sure Start scheme;
- curriculum and assessment;
- higher and further education;
- lifelong learning; and
- women in the teaching profession.

Article 11. Employment, health & safety and social welfare, covering :

- family friendly policies;
- the national childcare strategy;
- out of school childcare;
- pensions;
- the New Deal; and
- the UK social security system.

Article 12. Women's health, covering :

- National Service Framework;
- the results of the Acheson Report on inequalities in health; and
- Women's health issues including maternity, teenage pregnancies, abortion, heart disease, cancer, hormone replacement therapy, smoking, alcohol and drugs, HIV/AIDS and osteoporosis.

Article 13. Women in economic, social and cultural life, covering :

- taxes and family benefits;
- women in sport; and
- fear of crime on public transport.

Article 14. Rural women, covering :

- rural transport and women's reliance on private transport;
- employment and training and the specific assistance from the New Deal in rural areas; and
- women in agriculture and the Rural Women's Network.

Article 15. Equality before the law, covering :

- the status accorded to women by the law in the UK in both civil and criminal matters, including judicial appointments, Legal Aid and the 'Speaking Up For Justice' report.

Article 16. Marriage and family relations, covering :

- the family;
- violence against women, including domestic violence, personal protection and safety; and
- child support, including the Green Paper "Children First: a new approach to child support" and divorce law.

Examination of the report

This report is due to be examined by the CEDAW Committee in June 1999. The UK delegation will be headed by Fiona Reynolds, Director of the Women's Unit and will include officials from the Women's Unit, FCO, and legal advisers. Unfortunately, due to a large backlog of work, the CEDAW Committee has not yet examined the UK's third report from 1995. Consequently, it has been agreed that the UK's third and fourth report will be examined together.

January 1999
The Women's Unit

File Top. SAH
cc: PJ



Treasury Chambers, Parliament Street, London, SW1P 3AG

The Rt Hon The Baroness Jay of Paddington
Lord Privy Seal, Leader of the House of Lords
and Minister for Women
Privy Council Office
Whitehall
LONDON SW1A 2AT

29 January 1999

Dear Baroness Jay

GENDER STATISTICS

This letter is to provide information on the gender disaggregation of statistics. It is for information only and no action is required.

Following the discussion at the last meeting of HS(W) I thought colleagues would be interested in a summary of the state of play.

Policy statement on gender statistics

In response to the UN's World Conference on Women in Beijing in 1995, the UK's Government Statistical Service (GSS) agreed a statistical policy on the collection and dissemination of statistics disaggregated by gender:

"The GSS aims always to collect and make available, for example in publications, statistics disaggregated by gender, except where considerations of practicality or cost outweigh the identified need. All GSS publications contain the name and contact details of a person who can explain which, if any, of the statistics are available by gender and how they can be obtained."

Office for National Statistics/Equal Opportunities Commission Partnership

The Office for National Statistics and Equal Opportunities Commission have a partnership agreement. Two recent joint projects were:

A Brief Guide to Gender Statistics was published in March 1998 in response to the Equal Opportunities Commission/Women's National Commission suggestion for an "audit of official



Statistics". It discusses the main data sources by broad topic area, gives brief descriptions of the main sources that are available and provides a subject index. It covers both official government sources and non-official sources.

In October 1998, *Social Focus on Women and Men* was published. This book draws together gender disaggregated statistics on a wide range of topics to paint a statistical picture of women and men in the UK. It is part of the GSS "Social Focus" series and a successor to both *Social Focus on Women*, published by the Central Statistical Office in 1995, and to the Equal Opportunities Commission's *Women and Men in Britain*.

Time Use Survey

The Office for National Statistics commissioned some experimental work to develop a simple 'diary' based Time Use Survey (tested on the Omnibus Survey in March 1995). This measured how people spend their time and was used to assess the value of unpaid work, using a range of assumptions. Results published on 7 October 1997 (in *Economic Trends*) suggest that unpaid work is worth at least as much as work in the manufacturing sector, and that its value could be more than the paid economy.

Considerable work has already been undertaken by Eurostat to develop a survey that could provide harmonised results across Europe. The Office for National Statistics commissioned a pilot in 1997 to explore how this could best be adapted for the UK. ONS are currently leading a consortium of government department in partnership with the ESRC to fund a major Time Use Programme, the core of which will be a large scale Time Use Survey. The data from this survey will provide a valuable research dataset on a wide range of activities including a wealth of information about unpaid work and informal activities inside and outside the home. It will be used by the ONS for, among other things, the production of a household satellite account.

Gender Statistics User Group

The Gender and Statistics Users Group was launched at a conference on 31st March 1998. The ONS is represented on the Group, as are the Women's Unit, the Equal Opportunities Commission, the Women's National Commission and many other organisations. Meetings have been held on unpaid work and education and training and a programme for future work has been developed.

Definitions

The GSS has recently adopted a new definition of household reference person which will allow this to be defined as female, where appropriate, in future.

Future Research

A new Social Analysis Unit has been set up within the ONS to undertake cross-cutting research in response to policy needs. A workshop is planned for late January to discuss the possibilities for future research with members of the Women's Unit, the Social Exclusion Unit and the Anti-



Poverty Unit. ONS is keen to work with the Women's Unit to ensure that their needs for information and analysis are met.

Further details of the work the ONS is doing on gender can be obtained from Jil Matheson, Director of Social and Regional Statistics, Office for National Statistics, B5/02, 1 Drummond Gate, London, SW1V 2QQ.

I am copying this letter to the Prime Minister, members of HS(W) committee, and Sir Richard Wilson.

Yours sincerely

Antonia U. King

PP **PATRICIA HEWITT MP**
Approved by the
Minister and signed
in her absence



FROM THE LEADER OF THE HOUSE
HOUSE OF LORDS

TOP-JEM
e: JP
PB.

27 January 1999

The Rt Hon Robin Cook MP
Secretary of State
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

file
12/2.

Dr Robin,

EUROPE

As you know, Tessa Jowell and I are working to establish good working relationships with EU Ministerial counterparts working on women's issues.

This is not only to follow up the advice from the Prime Minister and yourself about the intrinsic value of inter-Ministerial contacts, but, also, we find many functional advantages in sharing and developing policy ideas with our counterparts.

We recently had useful meeting with French Ministers and have planned bilaterals with the Germans and Finns. We are also intending to attend and to host some wider seminars and open meetings in the next few months. I will also be attending the UN Commission for the Status of Women meeting in March.

I understand that this may be an opportune moment to raise with you the possibility of some dedicated FCO support, in London, for the development of European work on women's issues, and some of the related policy questions such as health and social support for young mothers. Both Tessa and I feel that a FCO London resource could be useful, and would make possible more proactive initiatives than we can undertake at the moment.



For example, I was very interested to read in a recent edition of the US State Department's House magazine an article, which I attach, on the US initiative on promoting women's rights internationally through foreign policy.

Obviously Tessa and I would welcome the chance to talk further to you personally, if that would be helpful.

A copy of this letter goes to Tessa Jowell and to Sir Richard Wilson.

Yours ever


THE RT HON THE BARONESS JAY OF PADDINGTON

RESTRICTED - POLICY

File



10 DOWNING STREET
LONDON SW1A 2AA

From the Assistant Private Secretary

4 January 1999

Dear Lesley

EUROPE

The Prime Minister was grateful for Baroness Jay's letter of 17 December informing him about the actions that she and Tessa Jowell are taking to build relationships with their European counterparts.

The Prime Minister was pleased to see the arrangements that the Ministers for Women have made to enter into discussions with European colleagues on policies towards women. He hopes that this will be a fruitful process, promoting good working relationships and a closer understanding of policy aims between our European counterparts and ourselves.

I am copying this letter to Tessa Jowell's Private Secretary and to Sir Richard Wilson.

Yours

Clare

CLARE HAWLEY

Lesley Bainsfair
PS/Baroness Jay

[Handwritten mark]

RESTRICTED - POLICY

Clare Hawley



FROM THE LEADER OF THE HOUSE
HOUSE OF LORDS

17 December 1998

The Rt Hon Tony Blair MP
The Prime Minister
10 Downing Street
London SW1A 2AA

Clare

Will you do

a reply?

Simon

Top. CH

Anthony
EUROPE

SW
RL

cc JPo
JEH
PB
AC
PU

Tessa Jowell and I are building on existing relations with our European counterparts, in order to take forward our agenda for women and also to support the UK position in Europe.

As Ministers for Women we recognise the value of a political commitment to promote social inclusion and gender equality in their domestic policies.

We have invited the new German Minister for Women to meet us in London next month to discuss plans for the Presidency following a successful visit to Bonn at official level. Arrangements are also in hand to meet our French opposite number early in the New Year, and a number of other meetings are being scheduled. Our discussions will support the work of other Cabinet Colleagues and broaden the debate. Our work on teenage girls and women's income over lifetime have a parallel interest to our European colleagues and are useful initiatives on which we wish to focus.

Tessa has already established a good working relationship with the Finnish Minister, with responsibility for women and health issues and plans to meet her again in the Spring. Officials are putting together a comprehensive programme of regular bilateral discussions with other Member States at Ministerial and official level over the next few months. These will supplement the more formal Ministerial Conferences which we will fully support.

Tessa Jowell
Clare

THE RT HON THE BARONESS JAY OF PADDINGTON
MINISTER FOR WOMEN

PM
For information
CBH

Me



**FROM THE LEADER OF THE HOUSE
HOUSE OF LORDS**

17 December 1998

The Rt Hon Tony Blair MP
The Prime Minister
10 Downing Street
London SW1A 2AA

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✓ JPO
JEH
PB
AC
PU

From Tony.

EUROPE

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Yours ever

**THE RT HON THE BARONESS JAY OF PADDINGTON
MINISTER FOR WOMEN**

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e: JJK
P.



Y SWYDDFA GYMREIG
Tŷ GWYDIR

WHITEHALL LLUNDAIN SW1A 2ER

Ffôn: 0171-270 3000 (Switsfwrdd)
0171-270 0538 (Llinell Union)

Ffacs: 0171-270 0561

Oddi wrth Ysgrifennydd Gwladol Cymru

WELSH OFFICE
GWYDYR HOUSE

WHITEHALL LONDON SW1A 2ER

Tel: 0171-270 3000 (Switchboard)
0171-270 0538 (Direct Line)

Fax: 0171-270 0561

From The Secretary of State for Wales

The Rt Hon Alun Michael MP

Our ref: CT/98-15703

17 December 1998

Don Margaret,

THE GOVERNMENT'S AGENDA FOR WOMEN

Thank you for your letter of 27 November about the Government's agenda for women and in particular the Listening to Women Consultation.

As you know, I am very keen to drive forward the Governments' agenda for Women in Wales, and delighted that you will take part in a Listening to Women Initiative in Wales.

I understand that there has already been an initial meeting between officials, and that another meeting is planned for early January.

I am broadly content with the proposals as they stand but have asked officials to explore the possibility of holding a media event to replace or complement the roadshows.

I am copying this letter to the Prime Minister, members of HS and HS(W), other Cabinet members and Sir Richard Wilson.

Yours sincerely
Jay

The Rt Hon The Baroness Jay of Paddington
Minister for Women
Leader of the House of Lords
Westminster
LONDON SW1A



Top-CH
JJM
cc AK
PU
file

Richmond House 79 Whitehall London SW1A 2NS Telephone 0171 210 3000

From the Secretary of State for Health

The Rt Hon Baroness Jay of Paddington
Leader of The House of Lords & Minister for Women
Privy Council Office
68 Whitehall
London
SW1A 2AT

30 November 1998

WOMEN AND GOVERNMENT POLICY

You invited me to nominate a departmental lead on gender issues. After careful consideration, I am pleased to let you know that Denise Platt, Chief Inspector, Social Services Inspectorate will take on the role of Departmental Board Sponsor for women's Issues. I also nominate Elisabeth Al-Khalifa, Head of NHS Equal Opportunities Unit who will be the initial contact between my department and the Women's Unit.

I am copying this letter to the Prime Minister, members of HS and HS(W), other Cabinet members and Sir Richard Wilson.

Best wishes

FRANK DOBSON

July 21/2



FROM THE LEADER OF THE HOUSE
HOUSE OF LORDS

27th November, 98

Helen Liddell, MP
Minister of State
The Scottish Office
Dover House
Whitehall
London SW1A 2AU

He

Top SA
✓ cclp

Dear Helen,

Thank you for your letter of 13 November regarding women and Government policy. Thank you also for participating in our recent launch of the Government's Agenda for Women.

I am sorry for the slight delay in responding, but I understand that our correspondence has been overtaken by events. I know that our officials have been in contact and that a date of 26 February 1999 has been agreed for the "Listening to Women" event in Scotland. I look forward to sharing the platform with you on that occasion. I do hope that news of this development reached you in time for your meeting of the Scotland Consultative Forum last Friday.

I have been pleased with the comprehensive support we have had for our mapping exercise, and would like to take this opportunity to thank you for the pro-formas that we have received from your officials at the Scottish Office.

I am copying this letter to the Prime Minister, members of HS and HS(W), other Cabinet members and Sir Richard Wilson.

Yours
J
ask.

THE RT HON THE BARONESS JAY OF PADDINGTON
MINISTER FOR WOMEN



FROM THE LEADER OF THE HOUSE
HOUSE OF LORDS

27th November, 98

Rt Hon Alun Michael MP,
Gwydyr House,
Whitehall,
London SW1A 2ER

He

Top KH
✓ cc Ps

Dear Alun,

THE GOVERNMENT'S AGENDA FOR WOMEN

On 9 November, Tessa Jowell and I launched the Government's Agenda for Women at a reception at the Commonwealth Club. We were pleased to be joined on the platform by Helen Liddell, and your message to the launch was much appreciated.

Consultation is at the heart of the democratic process and to reflect that, a key part of our new Agenda is a **Listening to Women** consultation: a series of regional visits with the aim of giving women the opportunity to express their views on issues of concern to them. Clearly this exercise will need to cover all four countries of the UK.

I am already in discussion with colleagues at the Northern Ireland and Scottish Offices about the proposed format for the events which will take place in their areas. The Prime Minister is keen for either Tessa or I, as Ministers for Women, to play a part in the events that take place in Northern Ireland, Scotland and Wales, as well as those in England.

Helen Liddell has suggested that the Scottish Event could link in with the next meeting of their Women in Scotland Consultative Forum. Meanwhile the Northern Ireland Office is investigating the possibility of running an event based on a five-way partnership between the Government, the new assembly, Vital Voices (a US sponsored initiative), the Body Shop (which is keen to sponsor) and women's organisations.

The purpose of this letter is to confirm my willingness to take part in a Listening to Women initiative in Wales, and to suggest that our officials



meet to discuss the best way to take this forward. I would be pleased to hear how you see it developing.

I am copying this letter to the Prime Minister, members of HS and HS(W), other Cabinet members and Sir Richard Wilson.

Yours ever

Jay

THE RT HON THE BARONESS JAY OF PADDINGTON
MINISTER FOR WOMEN



Richmond House 79 Whitehall London SW1A 2NS Telephone 0171 210 3000
From the Secretary of State for Health

file
 Top - CH
 JJM
 cc AL
 PU

The Rt Hon Baroness Jay of Paddington
 Minister for Women
 House of Lords
 Westminster
 London SW1

6 November 1998

WOMEN AND GOVERNMENT POLICY

Thank you for copying me your letter of 18 October to John Prescott setting out your plans for the work of the Women's Unit on improving two-way communication between women and government. I welcome these initiatives and fully agree the need for a more co-ordinated approach to delivering effective policies for women and communicating these.

Your letter includes references to several areas where this Department has significant work programmes such as childcare, public appointments, family friendly employment initiatives, mixed sex wards and health action zones. I welcome the opportunity to build on this work through a more strategic cross government approach, with the support of the Women's Unit as a key resource in this.

You request information on current initiatives and officials will be forwarding this information to the Women's Unit. You also asked for a named official to act as the initial contact point for exploring effective liaison between the Women's Unit and this Department. This contact will clearly be significant in establishing a sound basis for closer inter-departmental working in support of the approach you outline. I am committed to ensuring that my Department is fully engaged in this and am determined to ensure that we take this forward in ways that will draw together the wide range of experience and activity we have within the Department.

I therefore wish to give careful consideration to this nomination and will be writing to you again to confirm my nomination shortly.

CH/6/11



I am copying this letter to the Prime Minister, members of HS and HS(W), other Cabinet members and Sir Richard Wilson.

Best wishes

A handwritten signature in black ink, appearing to be 'FD' or a similar stylized representation of the name Frank Dobson.

FRANK DOBSON

Top: CH
Re CC: JSH
PJ



SANCTUARY BUILDINGS GREAT SMITH STREET
WESTMINSTER LONDON SW1P 3BT
TELEPHONE 0171 925 5000
The Rt Hon DAVID BLUNKETT MP

The Rt Hon Baroness Jay of Paddington
Minister for Women
House of Lords
London SW1A 0AA

5th November 1998

Dear Margaret

WOMEN AND GOVERNMENT POLICY

Your letter of 18 October to John Prescott and colleagues refers.

You requested contributions to a Women's Unit "mapping exercise" of initiatives which are likely to have a particular bearing on women.

My Department is pursuing a wide range of initiatives of benefit to girls and women, and also of benefit to boys and men, to transform the standard of education in our schools, equip the nation with the skills needed to meet technological change and growth in our economy and ensure that our programmes for providing independence and dignity in work are effective and relevant. Lifelong learning and employability are central elements. The Learning Age, for example, sets out a raft of initiatives that will benefit both women and men.

In addition, and importantly, we are working to ensure that the Equal Opportunities Commission makes a full contribution to our shared gender equality agenda. As you know I will soon be appointing a new EOC Chair and following the quinquennial review the Commission will be implementing an action plan for more effective working.

My Department is also pressing ahead with mainstreaming appraisal of equality issues, including gender, into the development, implementation and evaluation of all policies and programmes.

D/EE

The detail you request in respect of women is not always readily identifiable from the range of initiatives of benefit to both sexes. However, from the range of my Department's initiatives, and conscious of your instruction to be selective, I attach completed proformas for five relevant areas: sex equality legislative review framework and supporting initiatives; national childcare strategy; family friendly employment policies; New Deal for lone parents and Sure Start.

Bob Niven, with Jenny Eastabrook as alternate, both known to your Women's Unit officials, will be DfEE contacts.

I am copying this letter to recipients of yours.



DAVID BLUNKETT

CROSS-GOVERNMENT AUDIT OF INITIATIVES AFFECTING WOMEN

INITIATIVE	Review of the sex equality legislation
Lead Department	DfEE
Contact details (name, address, Tel, fax, Email)	Ms Jenny Eastabrook Divisional Manager Sex and Race Equality Division Room 400a Caxton House Tothill Street London SW1P 9NF Tel: 0171 273 6547 Fax: 0171 273 4906
Description	Consideration of changes to the Sex Discrimination and Equal Pay Acts and specifically the Equal Opportunities Commission's recommendations for revisions. Quinquennial review of the EOC. Review of the Fair Play Consortia
Aim/Terms of Reference/values (as appropriate)	<ol style="list-style-type: none"> 1. To review the Acts and the EOC's recommendations for changes in the context of the impact they might have on key sex equality issues such as equal pay, promotion and progression, family friendly working arrangements and occupational segregation. The review will take into account the impact on business and on individuals. 2. To examine the justification for the EOC on policy grounds and whether the NDPB is the most appropriate organisation to carry out its functions. 3. To undertake a thorough finance and management review of the EOC 4. To undertake an assessment of how best the Fair Play consortia can support the Government's agenda on equal opportunities.
Target audience/ Assessment of how the initiative will affect women (including gender breakdown and age range where possible)	Individual women and men and employers, women's support groups and community organisations.
Key messages for women	Government is committed to removing unjustifiable discrimination and promoting equality of opportunity

Location (if appropriate)	GB. Northern Ireland has its own statute, but it generally reflects the GB statute.
Duration (start and end dates)	Work in each of the four areas mentioned ongoing. Legislative proposals actual duration may depend on availability of parliamentary slot. EOC's formal recommendations are due to be published in November 98.
Key milestones (details with dates)	Better Regulation Task Force report on anti-discrimination legislation due in April 99 Publication of government response/consultation on EOC recommendations expected by June 99 EOC Quinquennial review report and Fair Play Consortia consultation outcome to be published shortly
Announcements already made	None
Forthcoming announcements (details with dates and by whom)	Press statement with Government's initial response to be coordinated with the publication of the EOC's recommendations (November 98) PQ to announce publication of EOC Quinquennial review report. Discussions on Fair Play consultation outcome ongoing
Related contact with non-governmental groups (who, how what)	Legislative review framework to be dovetailed with the Women's Unit "listening exercise" Will form part of the informal consultation during the development of the Government's response.

CROSS-GOVERNMENT AUDIT OF INITIATIVES AFFECTING WOMEN

INITIATIVE	NATIONAL CHILDCARE STRATEGY
Lead Department	DfEE
Contact details (name, address, Tel, fax, Email)	Ms Shirley Trundle Divisional Manager Childcare Unit Room 281 Caxton House Tothill Street London SW1P 9NF Tel: 0171 273 5230 Fax: 0171 273 5606
Description	National strategy to help parents balance family life
Aims/Terms of Reference/ Values (as appropriate)	Aim is to have a range of good quality childcare for children ages 0-14 in every neighbourhood, including formal and informal care.
Target Audience/Assessment of how the initiative will effect women (including gender breakdown and age range where possible)	Working parents and lone parents, aimed mainly at women with children aged 0-14
Key messages for women	Raising quality, making childcare more affordable and accessible.
Location (if appropriate)	National
Duration (start and end of dates)	From May 1998 - over the next 5 years
Key milestones (details with dates)	Close of consultation on Green Paper - July 1998. Launch of Partnership Guidance 14 October 1998
Announcements already made (details with dates and by whom)	Launch of Partnership Plan Guidance 14 October 1998 - Margaret Hodge
Forthcoming announcements (details with dates, whenever possible, and by whom)	Summary responses - November 1998 Partnership Plans to be submitted to Secretary of State by 1 February 1999. End March Partnerships advised of approval/rejection of plans.
Related contact with non-governmental groups (who, how what)	QCA, various childcare bodies ie, Day care Trust, Pre-school Learning Alliance, NTO, TEC Organisations

CROSS-GOVERNMENT AUDIT OF INITIATIVES AFFECTING WOMEN

INITIATIVE	FAMILY FRIENDLY EMPLOYMENT (PROMOTION)
Lead Departments	DfEE, DTI, HO, DH, Cabinet Office (Including WU)
Contact details (name, address, Tel, fax, Email)	Ms Shirley Trundle Divisional Manager Room 281 Level 2 Caxton House Tothill Street London SW1P 9NF Tel: 0171 273 35230 Fax 0171 273 35230
Description	A strategic cross-departmental approach to promoting the development and adoption of family friendly employment policies by increasing awareness of the business case
Aim/Terms of Reference/Values (as appropriate)	To enable parents and others with caring responsibilities to balance them with paid work. For example, by working part-time or reduced hours, home working and being able to take special leave.
Target Audience/Assessment of how the initiative will affect women (including gender breakdown and age range where possible)	Employers in the public and private sectors; People in work, or wishing to take up work who would benefit from family friendly employment policies. Although family friendly will benefit all employees, the burden of caring presently falls disproportionately on women.
Key Messages for Women	Women (and men) should not have to face the choice of either juggling full-time work and family, or leaving their job altogether.
Location (if appropriate)	National
Duration (start and end dates)	Likely to be long term
Key Milestones (details with dates)	Publication (early November) of Home Office Paper "Supporting Families" Implementation of Parental Leave Directive including improved maternity rights by December 1999; Implementation of Part-time Work Directive by April 2000 Family friendly promotional campaign (details yet to be decided)

<p>Forthcoming Announcements (details with dates and by whom)</p>	<p>Publication (early November) of Home Office Paper "Supporting Families" DTI follow-up to "Fairness at Work White Paper, including legislation to implement parental leave provisions (after Queen's Speech and consultation on Part-time Working Directive (early 1999?))</p>
<p>Related contact with non-governmental groups (who, how, what)</p>	<p>DfEE has developed close working links with a range of organisations including Parents at Work, the National, Work Life Forum, New Ways to Work and the Carers National Association</p>

CROSS-GOVERNMENT AUDIT OF INITIATIVES AFFECTING WOMEN

INITIATIVE	NEW DEAL FOR LONE PARENTS
Lead department	DfEE/DSS - joint policy
Contact details	Chris Barnham Divisional Manager EBPD Sanctuary Buildings Great Smith Street London SW1P 3BT Tel: 0171 925 6660 Fax: 0171 925 6173
Description	<p>The Government's manifesto commitment is that 'once their youngest child is in the second term of full time school, lone parents will be offered advice by a proactive Employment Service to develop a package of job search, training and after-school care to help them off benefit'.</p> <p>This commitment is being met through the New Deal for Lone Parents. It will be a voluntary service primarily aimed at those lone parents whose children are of school age, and this group will be actively encouraged to participate. The service is also available to those with younger children, who put themselves forward.</p>
Aims/Terms of Reference/Values (as appropriate)	<ul style="list-style-type: none"> • To help and encourage lone parents on Income Support to improve their prospects and living standards by taking up and increasing paid work; • To improve the job readiness of lone parents on Income Support to increase their employment opportunities.
Target Audience/Assessment of how the initiative will affect women (including gender breakdown and age range where possible)	<ul style="list-style-type: none"> • Women make up approximately 90% of lone parents on income support; • Approximately 500,000 lone parents (including men) with children of school age are on Income Support; • Full independent evaluation of the NDLP prototypes (phase 1) is being carried out by a research consortium. A report of its interim findings was published in May 1998. The evaluation shows that the NDLP has had a market, though moderate effect on the rate at which lone parents move off Income Support. Its impact is greatest among the key groups targeted first: those making new and repeat claims to Income Support, and those existing stock cases contact first. In the eight

INITIATIVE	NEW DEAL FOR LONE PARENTS
	<p>prototype areas, the NDLP has had a 6.6% effect. During phase 1, 17.5% of the target group invited to interview actually attended. In addition, 4.4% of the total non-target group (i.e. with children under five) put themselves forward and just under three quarters of these resulted in first interviews;</p> <ul style="list-style-type: none"> As at 25 September 1998, the results of the New Deal for Lone Parents were: <ul style="list-style-type: none"> 48,394 initial invitation letters issued 26,934 initial interviews booked 20,313 initial interviews carried out 17,658 numbers agreeing to participate 4,746 numbers of jobs obtained.
Key Messages for Women	Lone parents on Income Support (including men) can receive help and advice on job search, training, childcare and in-work benefits in order to help them into paid work. New Deal for Lone Parents is a voluntary programme.
Location (if appropriate)	National
Duration (start and end dates)	The lifetime of this Parliament.
Key Milestones (details with dates)	As Announcements
Announcements already made (details with dates and by whom)	<p>21 July 1997 : Phase 1 prototypes : Harriet Harman, SoS Social Security;</p> <p>October 1997 : NDLP Three Month Report : Harriet Harman</p> <p>November 1997 : Phase 11 : Gordon Brown, Chancellor of Exchequer</p> <p>March 1998 : £10m to pilot enhancements to NDLP : Gordon Brown</p> <p>6 April 1998 : Phase 111 : Harriet Harman</p> <p>29 April 1998 : Day one access to ES programmes for lone parents on Income Support : Andrew Smith, Minister for Employment, Welfare to Work and Equal Opportunities, DfEE</p> <p>29 April 1998 : Announcement that £10m would be used to mount innovative pilots and test in-work training grants for NDLP : Harriet Harman</p> <p>21 May 1998 : Interim Evaluation of Phase 1 of NDLP : Harriet Harman</p> <p>26 October 1998 : Launch of Phase 111 : Alistair Darling, SoS, Social Security and Margaret Hodge, Parliamentary Under Secretary of State for Employment and Equal Opportunities, DfEE</p>

INITIATIVE	NEW DEAL FOR LONE PARENTS
Forthcoming announcements (details with dates and by whom)	December 1998/January 1999 : Successful bids for NDLP innovative pilots : Margaret Hodge December 1998 : Locations for in-work training grants pilot.
Related contact with non-governmental groups (who, how, what)	<ol style="list-style-type: none">1. Quarterly officials and Ministers meetings with TEC National Council;2. Quarterly consultation workshops with voluntary sector and other interested bodies e.g. Gingerbread, NaCOPF, employer organisations, TUC;3. Quarterly officials meeting with Local Government Association;4. Consultation conference held for lone parents.

CROSS-GOVERNMENT AUDIT OF INITIATIVES AFFECTING WOMEN

INITIATIVE	SURE START
Lead department	Inter-Departmental
Contact details (name, address, Tel, fax, E-mail)	Annabel Burns, Caxton House, Tothill Street, London SW1H 9NA, 0171 273 4737, 0171 273 5182 Annabel.Burns@dfee.gov.uk
Description	The Sure Start programme will deliver; by the end of the Parliament: <ul style="list-style-type: none"> • 250 Sure Start projects in England • a visit from an outreach worker for every new mother in Sure Start areas within the first three months after giving birth • measurable improvements in the early development of children in Sure Start areas
Aim/Terms of Reference/Values (as appropriate)	The aim of Sure Start is: to work with parents and children to promote the physical, intellectual and social development of pre-school children - particularly those who are disadvantaged - to ensure they are ready to thrive when they get to school.
Target Audience/Assessment of how the initiative will affect women (including gender breakdown and age range where possible)	Sure Start will be focused on individual communities and its services will be open to all families with young children in the area. The evidence from current provision of this kind is that it is overwhelming women who take up these services. Sure Start will encourage parental involvement of all kinds and will projects will need to set out their plans for involving fathers as well as mothers
Key messages for Women	Will provide families with the help they need to give their children the best possible start in life.
Location (if appropriate)	250 local projects across England by end of Parliament
Duration (start and end of dates)	From April 1999 for three years
Key milestones (details with dates)	As above
Announcements already made (details with dates and by whom)	Sure Start was announced on 23 July by David Blunkett
Forthcoming announcements (details with dates, whenever possible, and by whom)	Sure Start stakeholders' event on 19 November which will be attended by both David Blunkett and Tessa Jowell. A further announcement will be made at the end of the year
Related contact with non-governmental groups (who, how, what)	Contact at official level with a range of stakeholders throughout the summer. Contact through stakeholders' event on 19 November



FROM THE LEADER OF THE HOUSE
HOUSE OF LORDS

Top CH
file
cc PJ
Pres

5 November, 1998

To all members of HS(W)

As my letter of 21 October explained, Tessa and I, will be launching *Delivering for Women* and announcing the Government's agenda for women on November 9th. Charlie Falconer will be in the Chair as Jack Cunningham, who was going to chair the event, is now unable to do so. I am writing to let you know in advance about the new announcements we will make.

Our new strapline, to be unveiled on Monday, is *Better for Women, Better for All*. This reflects our view that the women's agenda is a positive one for the Government as a whole; through which we can add value to what the Government is already doing. The early returns to our 'mapping' exercise are confirming the range of opportunities that exist. We also intend to show how the priority areas of work for the Women's Unit will directly benefit women and, through women, society as a whole.

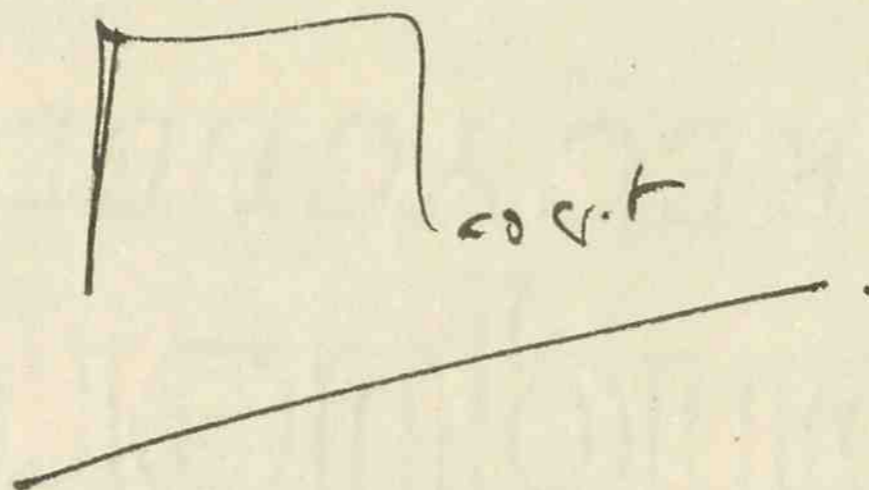
The documents we will be publishing on Monday demonstrate what has been achieved so far, recognising the work done by Harriet Harman and Joan Ruddock last year. The first is *Delivering for Women: progress so far* which sets out our achievements in the first 18 months. Many thanks for your earlier contributions to this.

We will also announce a number of new initiatives: a new 'listening to women' exercise to engage women up and down the country in dialogue with the Government; and two new priority areas of work - on women's incomes over their lifetime, and on the wider issues facing teenage girls, which we propose to begin after the completion of the Social Exclusion Unit/Department of Health work on teenage parenthood. In each of these areas we will explore fully with colleagues across Government where we can really add value, either through the cross-cutting nature of the issue, or where our involvement adds to the resource available to Government as a whole.

We therefore believe we can make a real contribution to the Better Government agenda and to achieving 'joined-up' Government: making a direct contribution (and where appropriate, taking the lead) on issues of major relevance to women which cut across Departmental boundaries.

November 9 is a good opportunity to set out a positive agenda for women engaging the whole of Government. There are clear expectations of us both within Government and the outside world, which we fully intend to meet. I am arranging for you to receive copies of all the material we are publishing on Monday

I am copying this letter to the Prime Minister, Sir Richard Wilson and the Strategic Communications Unit.

A handwritten signature in black ink, consisting of a stylized, blocky letter 'J' followed by the letters 'c o r t'. A long horizontal line is drawn below the signature, extending from the left side of the 'J' towards the right.

**THE RT HON THE BARONESS JAY OF PADDINGTON
MINISTER FOR WOMEN**

FROM THE DEPUTY PRIME MINISTER

Top: GH
cc: SSA
ER
P



DEPARTMENT OF THE ENVIRONMENT,
TRANSPORT AND THE REGIONS

ELAND HOUSE
BRESSENDEN PLACE
LONDON SW1E 5DU

TEL 0171 890 3011
FAX 0171 890 4399

OUR REF: PT/PSO/19823/98

The Rt Hon The Baroness Jay of Paddington
Minister for Women
Cabinet Office
The Women's Unit
10 Great George Street
London
SW1P 3AE

- 4 NOV 1998

WOMEN AND GOVERNMENT POLICY

Thank you for your letter of 18 October summarising your plans for the Women's Unit and requesting Departmental input to your "mapping" of initiatives.

My Department has a wide range of initiatives which will affect everyone's lives - although some may have particular importance for women. For example, our *New Deal for Transport* will benefit women using public transport by putting a greater emphasis on better quality transport services; providing safer public transport through initiatives such as the Secure Stations Scheme; improving the quality of the pedestrian environment, and promoting land-use policies which encourage local services.

Other initiatives/issues which may have specific implications for women include road-user charging, workplace parking levy, regulation of minicabs in London, bus policy proposals, the Housing Act, rural childcare, rural qualifications and public appointments. Completed proformas for all these have been forwarded to the Women's Unit.

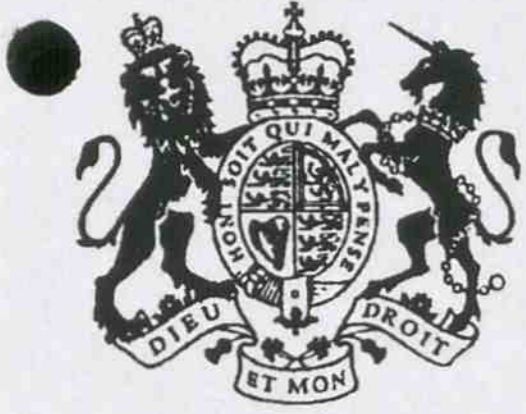
We are also working with your officials on developing the Government's strategy to reduce violence against women with contributions on domestic violence, crime and fear of crime on public transport and violence at work.

Ann Frye, head of our Mobility Unit (890 (GTN 3535) 4461) will act as the initial contact point for the Women's Unit on strategic issues.

Copies of this letter go to the Prime Minister, members of HS and HS(W), other Cabinet members and Sir Richard Wilson.

JOHN PRESCOTT

RM -511



Minister for the Cabinet Office
Chancellor of the Duchy of Lancaster

CABINET OFFICE
70 Whitehall, London, SW1A 2AS
Telephone: 0171-270 0400

file
TOP/CH
cc: JJH
PU

The Rt Hon Baroness Jay of Paddington
Leader of the House of Lords and
Minister for Women
House of Lords
London
SW1A 0PW

4 November 1998

Dear Margaret,

Thank you for copying to me your letter of 18 October to John Prescott, about your plans for the future work of the Women's Unit.

I agree that two-way communication is vital if we are to achieve the objectives of "seamless and responsive" government. Your approach has my full support. I also agree that it is vital to consider the impact of policy-making across all government departments.

My department's contribution to the "mapping" exercise of initiatives which have a particular bearing on women is enclosed.

Alison Schofield, Deputy Director, Development and Equal Opportunities Division in the Cabinet Office, will be the contact point for the Women's Unit on strategic issues.

I am copying this letter to the Prime Minister, members of HS and HS(W), other Cabinet members and Sir Richard Wilson.

As ever,
Jack.

JACK CUNNINGHAM

**CROSS-GOVERNMENT AUDIT OF INITIATIVES AFFECTING
WOMEN**

CABINET OFFICE

Initiative:	Research on Equal Opportunities
Lead Department:	SCSG
Contact details:	Jane Marriott, 2/1 GOGGS, GTN: 270 6530 email: <i>jmarriott@cabinetoffice.gsi.net</i>
Description:	Independent and external research on women, ethnic minorities and disabled people.
Aims/Terms/Reference :	To examine what factors have enabled women, staff from ethnic minorities and disabled people to progress into the SCS and what factors, if any, might have blocked their progress.
Target Audience:	The implementation of recommendations will hopefully increase the proportion of under-represented groups in the SCS.
Key Messages:	That the CS takes Equal Opportunities very seriously.
Location:	Nationwide
Duration:	Research process began July 1998. Completion due December 1998
Key Milestones:	n/a
Announcements made:	Impressive return rate on questionnaires (nearly 50% of 3,400). Focus groups and one-to-one interviews currently being held.
Forthcoming:	Consultants due to report to SCS Equal Opportunities Working Group in December 1998.
Contact with NGOs:	External consultants Schneider-Ross, who won the tender

Initiative:	Cohort Study
Lead Department:	Cabinet Office
Contact details:	Jane Marriott, 2/1 GOGGS, GTN: 270 6530 email: <i>jmarriott@cabinetoffice.gsi.net</i>
Description:	A study to track the progress of a sample of the SCS
Aims/Terms/Reference :	301 people in SCS have their careers tracked, with focus on under-represented groups
Target Audience:	All SCS
Key Messages:	n/a at this stage
Location:	Nationwide
Duration:	10 years (1998 is year 2/3)
Key Milestones:	By late winter 1998/99, the first round of data should be produced.
Announcements made:	none
Forthcoming:	January/February meeting of Statisticians and SCS Equal Opportunities Working Group
Contact with NGOs:	n/a

Initiative:	Civil Service College Courses for Women
Lead Department:	Civil Service College (Cabinet Office agency)
Contact details:	Course Booking 01344 634628
Description:	Courses for 'Management and Development for Women' (parts 1-3) and 'Breaking Through: A Development Programme for Women in Fast Stream Grades'.
Aims/Terms/Reference :	To enable women to think about, and develop, their careers, in relation to external demands on their time, developing effectiveness, assertiveness, communication skills
Target Audience:	Women with SCS potential
Key Messages:	n/a
Location:	CSC locations
Duration:	Various. All under one week.
Key Milestones:	To develop the strengths of women managers
Announcements made:	n/a ongoing
Forthcoming:	n/a ongoing
Contact with NGOs:	external speakers

Initiative:	Crossing the Boundaries
Lead Department:	Cabinet Office
Contact details:	Gina Cole 65/1 GOGGS GTN: 270 6368
Description:	SCSG is involved in disseminating information about the scheme: a one year, five workshops in five countries programme
Aims/Terms/Reference :	To bring experienced women from across Europe together, focusing on strategic leadership, internationalism and diversity.
Target Audience:	Experienced senior female managers
Key Messages:	Attempts to transcend boundaries and bring like-minded people together
Location:	Oslo, Berlin, Copenhagen, Brussels, Paris
Duration:	Five 3 day workshops over course of one year
Key Milestones:	n/a
Announcements made:	n/a
Forthcoming:	Nominations for 1999/2000 due by 1 Dec 1998
Contact with NGOs:	Run by the Danish School of Public Administration

INITIATIVE	BETTER GOVERNMENT FOR OLDER PEOPLE PROGRAMME
Lead department	Cabinet Office
Contact details	<p>Claudia Kenyatta Service First Unit Cabinet Office Horse Guards Road London SW1P 3AL</p> <p>Tel: 0171 270 6900 Fax: 0171 270 5968 e-mail: ckenyatt@cabinetoffice.gsi.net</p>
Description	28 local pilots to improve service delivery, give older people more say, and encourage them to contribute to society.
Aim/ Terms of Reference/ Values	<p>Aim</p> <p>To improve public services for older people by better meeting their needs, listening to their views, and encouraging and recognising their contribution.</p> <p>To be achieved by</p> <ul style="list-style-type: none"> • promoting experimentation at local level and, through effective research, drawing out key lessons for national and local government; • encouraging improved partnerships at and between all levels of government, and between government, the private and voluntary sectors and the communities they serve; • developing shared strategies to enhance the quality of life of older people; • listening and responding to the voice of older people, so that their voices are more effectively heard by Government and other agencies at all levels and taken account of in planning services; • promoting access to public services in a simple, user-friendly way, so that all those who want and need to use public services can do so easily; • recognising the achievements and responsibilities of older people, and increasing the opportunities available to them to contribute to their communities; and • encouraging new organisational structures and ways of working to make a real and permanent difference to the quality of public services and the lives of older people.

Target audience / Assessment of how the initiative will affect women	Older people across the UK. From 50+ but including the frail elderly. Women make up the majority of people aged 50+.
Key messages for women	<ul style="list-style-type: none"> • Consultation and involvement • Independent living • Positive ageing <p>Individual pilots also cover various themes - eg. community safety, healthy living</p>
Location	<p>28 pilots -</p> <p>Bolton Metropolitan Borough Council Bury Metropolitan Borough Council Coventry City Council Devon County Council Hartlepool Borough Council London Borough of Hackney London Borough of Hammersmith and Fulham London Borough of Harrow Royal Borough of Kensington and Chelsea London Borough of Lambeth Middlesbrough Borough Council City of Newcastle upon Tyne North Yorkshire County Council Nottinghamshire County Council Oxfordshire County Council Sheffield City Council Solihull Metropolitan Borough Council Warwick District Council Watford Borough Council Waverley Borough Council Wolverhampton Metropolitan Borough Council City of York Council</p> <p>Scottish Borders Council South Lanarkshire Council Stirling Council</p> <p>Cyngor Sir Ynys Mon/Isle of Anglesey County Council Rhondda Cynon Taff County Borough Council</p> <p>North Down Inter-Agency Partnership</p>
Duration	<p>Start June 1998 End April 2000</p>

Key milestones	5 June 1998 - launch conference April 1999 - mid programme conference April 2000 - closing conference and publication of Best Practice Guide
Announcements already made	26 March 1998 - pilots announced by Public Service Minister, Peter Kilfoyle 5 June 1998 - pilots launched by the Chancellor of the Duchy of Lancaster
Forthcoming announcements	November 1998 (tbc) - launch of programme Network April 2000 - end conference and publication of Best Practice Guide
Related contact with non-governmental groups	Through the Steering Group - Age Concern (Sally Greengross, Gordon Lishman, Hilary Bath) Anchor Trust (John Belcher, Rob Griffiths, Bruce Moore) Carnegie Third Age Programme (Richard Worsley) Help the Aged (Michael Lake, Tessa Harding, Lynn Enzor)

Initiative	Public Appointments
Lead department	Cabinet Office
Contact details	Elaine Webber Public Appointments Unit (PAU) Central Secretariat Horse Guards Road London SW1P 3AL Tel: 0171 270 6210 Fax: 0171 270 6053
Description	Government plan of action, underpinned by individual departmental plans, to increase the proportion of public appointments held by women (and other under-represented groups).
Aim	To increase the participation of women in public life
Target audience	Women in the adult population
Key messages for women	Plan of action demonstrates a serious commitment to the principle of equal representation of women and men in public appointments across Government. Women encouraged to make their influence felt in the development and implementation of Government policies.
Location	National, regional and local
Duration	Government's plan of action included individual departmental plans for 1998-2001. Progress monitored and plans updated annually. Those for 1999-2002 are expected to be published in early 1999.
Key milestones	October-December 1998 - Departments reviewing and updating their plans.
Announcements already made	29 June 1998 - publication of Government's plan of action
Forthcoming announcements	December 1998 - publication of

	<p><i>'Public Bodies 1998'</i> statistics including the number of appointments held by women.</p> <p>January 1999 - publication of Departmental Plans for 1999-2002</p>
<p>Related contact with non-governmental groups</p>	<p>Equal Opportunities Commission, Commission for Racial Equality and National Disability Council are represented on the Working Group on Public Appointments and Equal Opportunities chaired by the Director of the Public Appointments Unit.</p> <p>Some contact with the Women's National Commission.</p> <p>PAU seeks names for inclusion on the Central List from a wide range of women's groups eg: Women in Medicine; Association of Women Barristers; City Women's Network.</p>



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Top: CA
cc: JSH
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SANCTUARY BUILDINGS GREAT SMITH STREET
WESTMINSTER LONDON SW1P 3BT
TELEPHONE 0171 925 5000

The Rt Hon DAVID BLUNKETT MP

Rt Hon John Prescott MP
Deputy Prime Minister
Department of the Environment, Transport and the
Regions
Eland House
Bresenden Place
LONDON SW1E 5DU

3 November 1998

Dear John

**EQUAL OPPORTUNITIES COMMISSION'S RECOMMENDATIONS FOR CHANGES TO THE
SEX EQUALITY LEGISLATION**

The Equal Opportunities Commission's recommendations for changes in the sex equality legislation are officially due to be published on 6 November. We understand that the Commission will be briefing the press on 5 November. I am writing to inform you and HS members of the approach which HS(W) has agreed to take on the handling of the Government's initial response to the package.

The EOC's wide-ranging package comprises some 60 specific recommendations with a direct impact on or implications for many areas of government policy. Examples of the proposals include: revising sex equality laws into a single statute; providing a positive right to equal treatment; extending the grounds for discrimination to cover marital and family status; requiring employers to monitor the make-up and pay of their workforce and make information available to the EOC; requiring all public bodies to promote equality of opportunity; and allowing class or representative actions to be brought in sex discrimination cases.

The EOC's package is likely to generate substantial media and public interest. While we want to be seen to be giving all the recommendations due consideration, it would not be feasible to give an immediate, detailed response to each recommendation. A holding response at this stage will enable us to develop an agreed formal response which takes account of among other things the Better Regulation Task Force report on anti-discrimination legislation which is due in April 1999.



We intend that the attached briefing, which takes account of HS(W) colleagues' comments, should set the tone for the Government's response. It is non-committal and places the EOC's package in a wider context, by pointing to the range of current Government action promoting equal opportunities regardless of sex, race, disability or age.

There will of course be full discussion of the substantive proposals over the coming months.

I am copying this letter to the Prime Minister, members of HS committee and to Sir Richard Wilson.

Best wishes

David Blunkett

DAVID BLUNKETT

GOVERNMENT BRIEFING REGARDING EOC PACKAGE OF RECOMMENDATIONS TO REVISE THE SEX EQUALITY LEGISLATION

Government response on receipt of EOC proposals

Government has received with interest the EOC's proposals for revisions to the sex equality legislation. 20 years ago it was a Labour Government that took steps to tackle inequality through the Sex and Race Discrimination Acts. And while society has changed over the last two decades, our commitment has not.

Our goal is equality. We want to remove obstacles that still prevent significant numbers of people in Britain today from making the most of their abilities. We aim to create the conditions where every individual is treated fairly and to develop, through our policies, a framework that will support this.

The EOC has come up with a wide ranging set of proposals for change. Some of the recommendations will have far reaching consequences and will need to be studied in depth throughout government before we respond, bearing in mind their impact on the wealth and job creating sectors of the economy and how they can contribute to our Manifesto commitment to tackle unjustifiable discrimination.

We will then come forward with proposals on which we will seek the views of all interested parties.

What the Government has done already

We have already taken several important steps designed to tackle the barriers that serve to restrict peoples' life chances and prevent them from achieving personal success and making their full contribution to the success of this country and the health of our society.

For example, since last summer we have been promoting equality between women and men by:

- promoting family friendly policies. The Government recently set out the measures it is taking and proposals for further family friendly policies in the White Paper "Fairness at Work". The Government's family-friendly package will provide 3 months unpaid parental leave for mothers and fathers, simplified and improved maternity rights and a statutory right for time off work for urgent family reasons; tackle the long hours culture through the Working Time Directive; and remove discrimination against part-timers through the Part-time Work Directive.
- launching a National Childcare Strategy;
- developing a national strategy for carers, so that their needs and the needs of the people they are caring for are properly catered for;
- introducing the New Deal for Lone Parents, to support those who wish to return to work to do so;
- introducing a National Minimum Wage Bill, which we expect will help to narrow the gap between men's and women's average pay;
- signing up to the EU Burden of Proof Directive which confirms current UK practice once a complainant has made a case that sex discrimination has taken place, it is then for the defendant to prove that they have not breached the principle of equal treatment.
- launching an action plan for equal opportunities in public appointments to encourage the greater participation in public life of under-represented groups such as women and people from ethnic minorities. The Government has also agreed the principle that 50% of public appointments should be filled by women and that there should be a pro-rata representation of ethnic minority groups.
- extending the government's dialogue with women, launching a Ministers for Women Website, running two pilot women's juries and commissioning a survey of 1000 women to seek their views on childcare, family friendly employment and maternity rights.

However, the Government's equality agenda goes much wider. We have

- launched a "mainstreaming" initiative to integrate into government thinking the possible different impact of our programmes and policies on particular sections of the population, such as women, or different ethnic groups or disabled people. Our aim is to take such differences into account at the development stage and modify policies and programmes where necessary; and
- supported the Employment Rights (Disputes Resolution) Act which, amongst other things, will simplify tribunal procedures for people bringing discrimination claims.
- consulted widely on age discrimination in employment and have published a report of the consultation. From this we have developed a draft Code of Practice and we will be seeking views on it in the autumn.

We are also

- undertaking a consultative exercise to seek views on the various proposals offered by the Commission for Racial Equality for updating the Race Relations Act 1976;
- strengthening existing rights and developing new rights for disabled people; developing a New Deal for disabled people so that they can develop their skills and realise their potential; and planning to set up a Disability Rights Commission. Our recent White Paper explains how the Commission will work.

These actions underline the importance the Government attaches to promoting equality. This range of activities also highlights the need to adopt, where sensible and applicable, a consistent approach. In particular we want to ensure that the equal opportunities law is clear to both the individuals that it protects and to employers and other organisations who need to operate within it.

It is against this background that we will be considering the EOC's recommendations.

If pressed on a response to the specific EOC proposal on marital and family status

This raises complex issues.

The Government's commitment to supporting families is clear. Action we are already taking and our proposals for further support to families are set out in the Home Secretary, Jack Straw's discussion document "Supporting Families" published on 4 November.

It is important that recruitment and progression in the modern world of work should be based on merit rather than family or marital status.

However making discrimination on the basis of marital or family status illegal would also have some far-reaching effects on matters such as pensions.

We are committed to looking critically at the use of criteria based on family or marital status as we are doing in the current review of pensions.



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70 Whitehall, London SW1A 2AS
Telephone 0171-270 0101 Facsimile 0171-270 0208

From the Secretary of the Cabinet and Head of the Home Civil Service
Sir Richard Wilson KCB

file
Top. CH
cc RR
PU.

02 November 1998

Dear Colleague,

GUIDELINES ON POLICY APPRAISAL FOR EQUAL TREATMENT

... I attach a copy of the new Guidelines which aim to ensure that Government policy making is governed by the principle of equal treatment for all. These Guidelines are issued jointly by the Minister for Women, the Home Secretary, and the Secretary of State for Education and Employment.

The Guidelines outline a process which should ensure that the policies we help to develop take account of their impact on different groups in society, most particularly women as well as men, people of different races, and disabled people. This process has come to be known as mainstreaming.

The publication of these Guidelines marks the first stage of a joint strategy led by the Women's Unit, the Home Office and the Department for Education and Employment as part of the drive for Better Government. Over the coming year more detailed guidance will be provided for those employed in the day to day business of policy making. Consideration is also being given to training support.

Colleagues will need to satisfy themselves that they have in place arrangements to ensure that the principles in the Guidelines are integrated into the day-to-day work of their Departments or Agencies and to be able to report on progress. The two lead Departments, and the Women's Unit, are able to provide advice in their policy areas.

I believe these Guidelines provide an important step towards achieving the principles of equality to which the Government is committed. Their application will further strengthen public confidence that the Government is listening to the views of every section of the population. I commend them to colleagues.

A copy of the Guidelines has been placed in the House of Commons library and copies are being distributed to all Permanent Secretaries, Heads of Department and Agency Chief Executives.

I am copying this to the Prime Minister, Ministers in charge of Departments and the Chief Secretary.

Yours sincerely,

Richard Titmuss

Policy appraisal for equal treatment



CABINET OFFICE



HOME OFFICE



Department for Education and Employment

BETTER FOR
WOMEN
BETTER FOR
ALL

POLICY APPRAISAL FOR EQUAL TREATMENT

FOREWORD

This Government wants its policies to be relevant to the lives that people live today. This is the route to better government.

Government Departments must take full account of the needs and experiences of those affected by their policies. We must understand how policy can have a different impact on different groups in society. We have to bring this understanding to policy development and work to ensure that the results are fair, lawful and practical, and promote equal opportunities in its widest sense.

This means that in policy making and employment practice, we have to consider the impact on those who have found the actions and attitudes of others placing obstacles in the way of equality of opportunity. Most particularly, the impact upon women, people from different ethnic minorities and disabled people. This process has come to be known as "mainstreaming". These guidelines are intended to help officials bring about that shift.

Better government means working together across Departmental boundaries to deliver policy and services more effectively. This is a responsibility for all of us, but the initiative itself is led by:

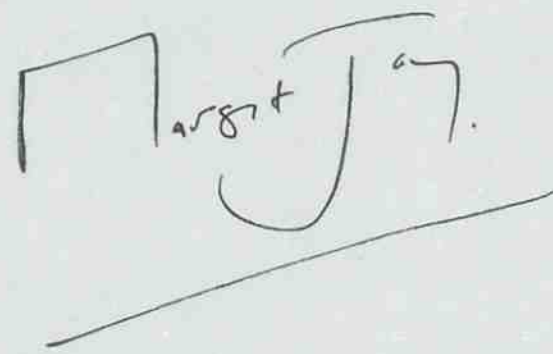
- Home Office, who have responsibility for legislation on race equality;
- Department for Education and Employment, who have responsibility for sex and disability discrimination legislation, civil rights for disabled people, promoting race equality in employment and policy responsibility on tackling age discrimination in employment;
- Minister for Women, who has responsibility for women's interests.

Everyone who is involved in the development and implementation of policy and programmes has a key role to play. It is your responsibility to assess properly how your work is likely to affect different groups and to take action to ensure they are taken into account from the beginning of the policy process and in its evaluation. It is important that you can show that you have

considered the issues thoroughly and acted where necessary.

These guidelines underline this Government's commitment to the process, by highlighting the simple steps that civil servants need to take.

All Government Departments will be expected to ensure that they have implemented the policy appraisal guidance effectively. It is important that you have confidence that the issues are being considered thoroughly and acted upon where necessary. The result will be better government.



MINISTER FOR WOMEN



HOME SECRETARY



SECRETARY OF STATE FOR
EDUCATION & EMPLOYMENT

November 1998

WHY POLICY APPRAISAL MATTERS

Better Government

Policy appraisal is both common sense and good practice. You and your Ministers need to know how your policies and programmes will affect the public and you need to make sure that they comply with the law. But policy appraisal is not just about the law; it is about good government. Ministers want to know how new and existing policies will affect different sections of the population. Unless you find out about the impact on different groups, you cannot be sure whether policies are having the effect Government intends. Once you have analyzed the impact of your policies, then you need to decide what to do about any adverse differential impact.

Legal considerations

UK discrimination law currently covers sex, marriage, disability and race. In addition the Government is bound by EC law, which currently covers discrimination on the grounds of sex, marital status, pregnancy and maternity only, but is likely to be extended, under the Amsterdam treaty. The UK is also a signatory to various international treaties and conventions prohibiting discrimination on other grounds. Further detail on relevant anti-discrimination legislation, the groups covered, and the lead Department is given in Appendix A.

HOW TO DO IT

There are 3 steps in the policy appraisal process:

- 1 **Check** how your policy or programme will affect, either directly or indirectly, different groups of people - for example women and men, disabled people and those from different ethnic groups.

You need to be sure that the measures will not result in unlawful discrimination (see Appendix A for an outline of anti-discrimination provisions).

You also need to consider the question of unequal impact on those groups who do not enjoy specific legal protection but who, as a matter of good policy, you will wish to consider, such as older people or groups toward whom specific policy initiatives are being directed, such as young unemployed people.

- 2 **Identify** whether there is any adverse differential impact on a particular group or groups and then decide whether it can be justified in policy terms even if it is legally permissible.
- 3 **Take action**, if necessary.

When you present policy proposals they must include an impact analysis which clearly brings out the effect on particular sections of the population, and how you have addressed any relevant differences.

WHAT MUST I DO ?

- 1 Find out all you can about the potential impact of a proposal:
 - Make full use of existing research and statistics; if necessary commission new data, ensuring that statistics are separated by gender, race, disability and age, as far as it is possible to do so;
 - Consult the relevant contact on issues specific to their policy areas (see Appendix B), if necessary and as appropriate;
 - Consult established interest groups, if necessary and as appropriate;
 - Consult those who are likely to use your service, as appropriate;
 - Carry out a differential impact assessment, based on this and any other relevant information.
- 2 Use the information you have gathered to decide whether there is likely to be a differential impact upon a particular group or groups in society and, if so, whether this may be unfair or unlawful, or contradict overall Government policy concerning opportunities or services for certain groups. Don't forget that there may be an adverse differential impact which arises indirectly. Rules which limit the access of a particular group to a service, for example changing the location of a service provider, could indirectly have an adverse effect on those with limited access to transport, such as those with low incomes or disabilities. And remember, some groups can suffer multiple disadvantage, such as black women.
- 3 If you discover that some groups will suffer an adverse differential impact:
 - Ensure that the course of action you propose is legally permissible;
 - If it is not legally permissible, amend the policy or programme;
 - If it is legally permissible, decide whether the difference is justifiable in policy terms. If it is a programme intended specifically to address the needs of a particular group, it may be justifiable. Judge whether the differential impact is acceptable within the context of the programme. Where necessary, amend the policy or programme;
 - Ensure that your Ministers and senior officials are aware that you have considered the adverse differential impact of any policy or programme and record that you have done so. **The outcome of policy appraisal should always be brought to the attention of Ministers.**

APPENDIX A

Anti-discrimination legislation	Prohibited by reference to	Led by
The Sex Discrimination Act 1975 (as amended)	Sex	DfEE
The Employment Act 1989 & The Employment Rights Act 1996	Sex, maternity & other employment rights	DTI
The Equal Pay Act 1970 (as amended)	Sex	DfEE
The Race Relations Act 1976	Colour, race, nationality or ethnic or national origins	Home Office
The Disability Discrimination Act 1995	Disabled People	DfEE
Pregnant Workers Directive	Pregnancy, maternity	DTI, DSS
Article 119 of the Treaty of Rome and Equal Treatment and Equal Pay Directives made under the Treaty. EC Law on free movement of workers, services and capital and freedom of establishment.	Sex; Nationality	DfEE, DTI, DSS

The UK is also a signatory to a large number of international conventions which have anti-discrimination provisions; although these do not currently provide a right of individual complaint against the UK, policy should be informed by an awareness of the UK's international obligations. Some of the most important conventions are:

Convention	Group	Led by
The UN Convention on the Elimination of all forms of Discrimination against Women	Women	Minister for Women
The UN Convention on the Elimination of all forms of Racial Discrimination	Racial groups	Home Office
The UN International Covenant on Civil & Political Rights	Inter alia: race, colour, sex, religion, national or social origin	Home Office
The UN International Covenant on Economic, Social and Cultural Rights	Inter alia: race, colour, sex, religion, national or social origin	Home Office
The UN Standard Rules on Equalisation of Opportunities for People with Disabilities	Disabled people	Dept of Health
The Council of Europe European Convention on Human Rights	Inter alia: race, colour, sex, sexual orientation	Home Office

APPENDIX B

WHERE CAN I GO FOR HELP?

There is a lot of expertise available. Further advice can be obtained from:

The Women's Unit
Cabinet Office
2nd Floor
10 Great George Street
London
SW1P 3AE

TEL 0171 273 8840
FAX 0171 273 8813

The Women's Unit is staffed by Civil Servants who support the Minister for Women and, through her, the Cabinet sub-Committee for women.

The Home Office
Race Equality Unit
12th Floor
Queen Anne's Gate
London
SW1H 9AT

TEL 0171 273 4398
FAX 0171 273 3771

The Home Office is responsible for legislation concerning racial discrimination. The Race Equality Unit provides a first point of contact for race issues.

Department for Education & Employment
Sex and Race Equality Division
4th Floor
Caxton House
Tothill Street
London SW1H 9NA

TEL 0171 273 4851
FAX 0171 273 5219

The responsibilities of the Department for Education and Employment (DfEE) include aspects of gender, race, disability and age. The Sex and Race Equality Division within DfEE provides a first point of reference.

Key Organisations:

The Equal Opportunities Commission

Overseas House
Quay Street
Manchester M3 3HN

TEL 0161 833 9244
FAX 0161 835 1657

The Commission's duties are to work towards removing sex discrimination, promoting equality between the sexes and reviewing the workings of the Sex Discrimination and Equal Pay Acts.

Commission for Racial Equality

Elliot House
10-12 Allington Street
London SW1E 5EH

TEL 0171 828 7022
FAX 0171 630 7605

The Commission for Racial Equality can provide assistance on such areas as legislation and related policy areas as well as specific advice on particular race related issues, public education and contacts.

The Women's National Commission

Cabinet Office
4th floor
Horse Guards Road
London
SW1P 3AL

TEL 0171 238 0386
FAX 0171 238 0387

The WNC is the official independent advisory body which conveys the views of women to government. It is made up of member women's organisations drawn from the major political groups, professional associations and voluntary bodies. It represents over 8 million women in the UK.

National Disability Council Secretariat

4th Floor
Caxton House
Tothill Street
London SW1H 9NF

TEL 0171 273 5636

FAX 0171 273 5929

The Council is responsible for advising Government on measures likely to reduce or eliminate discrimination against disabled people and on the way in which the Disability Discrimination Act 1995 (apart from its employment provisions) is implemented and operates in practice.

**Advisory Council for Disabled People
in Employment and Training Secretariat**

N8, DfEE Head Office
Moorfoot
Sheffield S1 4PQ

TEL 0114 259 4130

FAX 0114 259 4192

The Committee is responsible for advising Government on matters concerning the employment and training of disabled people.

The Women's Unit
Cabinet Office
2nd Floor
10 Great George Street
London
SW1P 3AE

TEL 0171 273 8880
FAX 0171 273 8813
www.womens-unit.gov.uk
email womens.unit@gtnet.gov.uk

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